

Reorganization of the House of Representatives: Modern Reform Efforts

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Summary

On January 7, 2003, the House created a Select Committee on Homeland Security. One of its responsibilities is to conduct a “thorough and complete study of the operation and implementation of the rules of the House, including Rule X, with respect to the issue of homeland security.” The select committee is required to submit its recommendations on possible changes to the Committee on Rules not later than September 30, 2004.

Numerous official and unofficial reviews by Congress have been conducted in the past 60 years. Three joint committees, two select committees, two commissions, and party caucuses and conferences have studied various aspects of the House and its committee system. The contemporary system is primarily a product of the Legislative Reorganization Act of 1946, which, among other things, codified committee jurisdictions, streamlined the committee system, and instituted a professional committee staffing structure. The Legislative Reorganization Act of 1970 opened Congress to public scrutiny, modified committee and floor procedures, and enhanced Congress’s research and budget capabilities. The Committee Reform Amendments of 1974 (Bolling committee) recommended major changes in House committee jurisdiction and referral procedures, although an alternative plan was adopted. The work of the Commission on Administrative Review (Obey commission) and the Commission on Information and Facilities (Brooks commission) focused on the administrative structure of the House. The Select Committee on Committees (Patterson committee) recommended modifications in House energy jurisdiction, committee assignment process, and committee procedures. The Joint Committee on the Organization of the Congress altered aspects of congressional organization and operations. Many decisions affecting committee and floor operations are within the purview of the respective party caucuses; they too have modified party and House rules on several occasions since 1946.

This report discusses the reform efforts to reorganize the House committee system since the 1940s. This report will be updated if events warrant.

For related information on congressional reorganization efforts, see CRS Report RL32112, *Reorganization of the Senate: Modern Reform Efforts*, by Judy Schneider et al..

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Introduction

The House standing committee system began in 1789 with the creation of the Committee on Enrolled Bills. By 1810, the House had 10 standing committees. By the time of the Civil War, the standing committee system was entrenched; the House had 39 standing panels. When Woodrow Wilson wrote his doctoral dissertation in 1885, he characterized Congress as “a government by the chairmen of the Standing Committees of Congress.”¹

In the years following, many new standing committees were created, although very few were abolished.² By 1913, there were 61 standing committees in the House. In 1927, the House combined 11 expenditure committees into one Committee on Expenditures in the Executive Departments.

By the early 1940s, there was extensive criticism of Congress by scholars and Members themselves. In response, Congress created a Joint Committee on the Organization of Congress, thereby marking the beginning of numerous efforts to reorganize Congress, including the House’s committee system.³

Since the 1946 effort, Congress created two more joint committees. The House also created two select committees and two commissions to review its internal organization and operations. The Democratic Caucus and Republican Conference have studied various aspects of House organization and the committee system. The minority party alternatives offered to the majority party resolutions adopting the rules for a new Congress have contained recommendations for congressional reorganization.

Legislative Reorganization Act of 1946, 79th Congress (1945-1946)

Creation, Membership, and Funding

Creation

On February 19, 1945, the House concurred in Senate amendments to H.Con.Res. 18, and established the Joint Committee on the Organization of Congress. The joint committee was composed of 12 members, six from each chamber, equally divided by party. The joint committee could take testimony and make recommendations concerning the structure of Congress. The panel was authorized for the 2 years of the 79th Congress.

The resolution called on the joint committee to “make a full and complete study of the organization and operation of the Congress,” and “recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with the other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution.”

Members had been considering reorganization of Congress for several years before the creation of the joint committee. The joint committee was created in part in response to the new environment in which lawmakers found themselves during and after the Presidency of Franklin Delano Roosevelt—a much larger federal government involved in far more areas of national life. As one

¹ Woodrow Wilson, *Congressional Government* (Baltimore: Johns Hopkins University Press, 1981), p. 69.

² Six minor committees were abolished in 1909, and another six were abolished in 1911.

³ See also CRS Report RL32112, *Reorganization of the Senate: Modern Reform Efforts*, by Judy Schneider et al..

scholar noted, it was “becoming apparent that the role of the federal government was irrevocably changed ... Consequently, institutions such as the Congress, would be required to change to accommodate themselves to new domestic and international demands.”⁴

Members also wanted to respond to a public perception that Congress had become too insular. In 1942, for example, there was a public outcry when the House passed a bill to bring Members under the Civil Service retirement system. “Letters poured into congressional offices criticizing Members for voting their personal concerns in a time of national emergency.”⁵

Membership

The committee was chaired by Senator Robert M. LaFollette Jr., a progressive from Wisconsin who caucused with the Republicans. Its vice chair was A.S. “Mike” Monroney, a House Democrat from Oklahoma. The other House members were: Eugene Cox (D-GA); Thomas J. Lane (D-MA); Earl Michener (R-MI); Everett Dirksen (R-IL); and Charles Plumley (R-VT). Other Senators on the committee were: Elbert D. Thomas (D-UT); Claude Pepper (D-FL); Richard Russell (D-Ga.); Wallace White (R-ME); and C. Wayland Brooks (R-IL).

Funding

The joint committee was authorized to spend \$15,000 over its 2-year lifespan, which was to be taken equally from the House and Senate contingency funds.

Committee Activity and Recommendations

From March 13 through June 29, 1945, the joint committee held 39 hearings, receiving testimony from 102 witnesses. The committee issued its report (H.Rept. 1675), on March 4, 1946. The report contained a wide-ranging list of 37 specific recommendations designed to improve the structure and efficiency of Congress, many of which were adopted.

The Senate created a Special Committee on the Reorganization of Congress to deal with the committee’s recommendations. The special committee was also chaired by LaFollette, and reported out legislation (S. 2177) on May 31, 1946, that was nearly identical to the set of recommendations. The Senate began debate on the bill on June 5 and passed it by a vote of 49-16 on June 10, after making several changes.

In the House, the bill sat at the Speaker’s table for weeks while negotiations took place over several of its provisions. On July 25, the House approved an open rule for consideration of the bill. After approving a series of amendments, the House passed the bill by a division vote of 229-61, sending it back to the Senate. The Senate approved the House-passed version of the bill by voice vote on July 26. President Harry S Truman signed the measure into law on August 2 (P.L. 601, 79th Congress).

Committee Organization

At the heart of the set of recommendations was a dramatic overhaul of House and Senate committee structures. The panel recommended that the number of standing committees in the

⁴ Paul S. Rundquist, “*The Legislative Reorganization Act of 1946 – A View From Forty Years*,” prepared for delivery at the American Political Science Association’s annual meeting, New Orleans, La., 1985, p. 2.

⁵ Ibid.

House be reduced in number to 18 from 48, largely by consolidating the jurisdictions of the 48 panels. The 18 restructured committees recommended in the report were:

- Agriculture. Formed by the existing Agriculture Committee.
- Appropriations. Formed by the existing Appropriations Committee.
- Expenditures in the Executive Department. Formed by the existing Expenditures in the Executive Department Committee.
- Banking and Currency. Formed by the merger of the Banking and Currency, and the Coinage, Weights and Measures Committees.
- Civil Service. Formed by the merger of the Civil Service, Census, Post Office and Post Roads, and the District of Columbia Committees.
- Public Works. Formed by the merger of the Flood Control, Public Buildings and Grounds, Rivers and Harbors, and Roads Committees.
- Interstate and Foreign Commerce. Formed by the existing Interstate and Foreign Commerce Committee.
- Judiciary. Formed by the merger of the Judiciary, Patents, Revision of the Laws, and Immigration and Naturalization Committees.
- Foreign Affairs. Formed by the existing Foreign Affairs Committee.
- Labor. Formed by the merger of the Labor and Education Committees.
- Merchant Marine and Fisheries. Formed by the existing Merchant Marine and Fisheries Committee.
- Armed Services. Formed by the merger of the Military Affairs and Naval Affairs Committees.
- Veterans' Affairs. Formed by the merger of the Pensions, Invalid Pensions, and World War Veterans' Legislation Committees.
- Public Lands. Formed by the merger of the Public Lands, Territories, Irrigation and Reclamation, Mines and Mining, Insular Affairs, and Indian Affairs Committees.
- Ways and Means. Formed by the existing Ways and Means Committee.
- Rules. Formed by the existing Rules Committee.
- House Administration. Formed by the merger of the Accounts, Disposal of Executive Papers, Enrolled Bills, Library, Memorials and Printing Committees. The Committee on the Election of President, Vice President, and Representatives in Congress was abolished. Three separate Elections committees were abolished and those responsibilities transferred to the House Administration Committee.
- Un-American Activities. Formed by the existing Un-American Activities Committee.

The Claims panel and the War Claims panel were abolished.⁶

The committee also recommended that House Members be limited to one major committee assignment.

⁶ Title IV of the Legislative Reorganization Act of 1946 (P.L. 601, 79th Congress) transferred adjudication of claims against the government to the Court of Claims, which is now the U.S. Court of Federal Claims.

Jurisdiction and Oversight

The joint committee called on the House and Senate to spell out the jurisdictions of each standing committee clearly and to incorporate the re-drawn jurisdictions in the House and Senate rules. The definitions “should enumerate the activities covered and describe their scope in terms of subject matter of legislation as well as the administrative organization of the Federal Government so that disputes over jurisdiction will be minimized or eliminated.”⁷

The joint committee recommended that each standing committee have authority to investigate the executive branch departments under their jurisdiction. This authority would include the ability to issue subpoenas and to open investigations on their own. This recommendation was in response to the existing practice of creating a special committee to investigate problems as they arose, for example the House Select Committee to Investigate Acts of Executive Agencies which Exceed Their Authority. Because the standing committees would now have the authority they needed to conduct oversight, the committee recommended that there be a ban on creation of any new special committees, particularly those charged with conducting investigations.

Staffing

The joint committee recommended that each standing committee have professional staff, who were well paid and who would be available to Members to help them make policy decisions. Each standing committee would be able to employ up to four professional staff, who would be hired for their expertise and could not be terminated for political reasons. These staff were to be paid between \$6,000 and \$8,000 a year, and were to work only on committee business. The recommendations also said that committees should be able to employ up to six clerical staff.

To supplement committee staff, the joint committee recommended that Congress increase staffing of the Legislative Reference Service, a division of the Library of Congress. The committee recommended increasing the budget to \$500,000 the first year from \$198,000; \$650,000 for the second year; and \$750,000 in the third year.

The joint committee recommended that each Member be allowed to hire a well-paid administrative assistant, whose job it would be to free up the Member from having to take care of much constituent service so that the Member could focus more on legislation. Administrative assistants would handle most correspondence and requests for assistance from the public. The joint committee recommended that this employee be paid up to \$8,000 a year.

The joint committee also called for the creation of a congressional secretarial pool to help overloaded offices with clerical work.

Administrative Proposals

The committee made a series of proposals designed to update Congress in a variety of ways. The key recommendations were:

- raising pay for Members of Congress to \$15,000 from \$10,000 and allowing Members to join the federal retirement system; and raising pay for top congressional staff, such as the clerk of the House and the secretary of the Senate, by some 50%;

⁷ U.S. Congress, Joint Committee on the Organization of Congress, *Organization of the Congress*, 79th Cong., 2nd sess., H.Rept. 1675 (Washington: GPO, 1946), p. 5.

- creating matching sets of party policy committees in each chamber (for a total of four) that would be authorized to hire staff and meet regularly with representatives of the executive branch;
- establishing a personnel director who would be selected by the leaders of the two chambers and who would set up a system for finding and evaluating would-be legislative staff, removed from political considerations;
- regulating lobbyists by requiring that representatives of groups with an interest in legislation register and disclose their funding sources and the names of groups they represented;
- creating a legislative budget process that would require the Appropriations and revenue committees in both chambers to draft a tentative budget each year. Congress could not appropriate more than the estimated receipts for the coming year without also authorizing an increase in the national debt. Also, the President would be given the power to reduce appropriations by a uniform percentage in all programs if expenditures exceeded receipts;
- banning the introduction of bills to build specific bridges and certain other bills involving claims against the United States;
- setting an annual adjournment date of June 30, with Members returning to Washington for a fall session; also, the report called for “experimentation by the leadership of the two Houses in dividing the workweek, reserving 3 days for morning and afternoon hearings by committees, possibly with evening sessions on those days, and 3 days for sessions in the Chambers for legislative work;”⁸
- limiting conference reports only to items that were in disagreement between the two chambers;
- increasing the legislative counsel’s office budget to \$150,000 from \$90,000 a year to hire more personnel to help Members draft bills;
- requiring all hearings and many of the meetings of the Appropriations Committee be open to the public, press, and other Members of Congress;
- requiring the General Accounting Office to do an annual audit of each government agency; and
- banning the reappropriation of funds already appropriated but not yet spent, and the act of legislating on an appropriations bill.

Senate Provisions

The joint committee called for 16 committees in the Senate, down from 33. The new committees recommended were:

- Agriculture. Formed from the existing Agriculture and Forestry Committee.
- Appropriations. Formed from the existing Appropriations Committee.
- Rules and Administration of the Senate. Formed by the merger of the Audit and Control, Enrolled Bills, Library, Printing, Privileges and Elections, and Rules Committees.

⁸ *Organization of the Congress*, p. 26.

- Banking and Currency. Formed from the existing Banking and Currency Committee.
- Finance. Formed from the existing Finance Committee.
- Labor and Public Welfare. Formed from the merger of Education and Labor Committee, and the Social Security jurisdiction of the Finance Committee.
- Claims. Formed from the existing Claims Committee. To be dissolved when claims were transferred to the courts.⁹
- Interior, Natural Resources and Public Works. Formed from the merger of the Commerce, Indian Affairs, Interoceanic Canals, Irrigation and Reclamation, Mines and Mining, Public Buildings and Grounds, Public Lands and Surveys, and Territories and Insular Affairs Committees. Also to include the Post Roads jurisdiction of the Post Office and Post Roads Committee, which would be abolished.
- Civil Service. Formed from the merger of the Civil Service and Post Office and Post Roads Committees, minus the Post Roads jurisdiction.
- District of Columbia. Formed from the existing District of Columbia Committee. To be dissolved when D.C. residents were granted home rule.¹⁰
- Expenditures in the Executive Department. Formed from the existing Expenditures in the Executive Department Committee.
- Armed Services. Formed from the merger of the Military Affairs and Naval Affairs Committees.
- Veterans' Affairs. Formed from the Pensions Committee and the merger of veterans' jurisdiction from the Finance Committee.
- Foreign Relations. Formed from the existing Foreign Relations Committee.
- Interstate Commerce. Formed from the merger of the Interstate Commerce and Manufacturers Committees.
- Judiciary. Formed by the merger of the Judiciary, Patents, and Immigration Committees.

Final Action

The majority of recommendations made by the joint committee were adopted by Congress. In the House, Members deleted provisions authorizing a top administrative aide for their offices, creating majority and minority policy committees, and creating a stenographic pool for Members. They also deleted all the proposed enforcement provisions for the budget process. Finally, they changed the Members' salary increase to \$12,500, plus an additional \$2,500 for expenses. In the Senate, Members deleted the section of the plan calling for home rule for the District of Columbia, deleted the transfer of pensions and rehabilitation programs to a Veterans' Affairs Committee from the Finance Committee, moved the adjournment date of Congress to July 31 from June 30, deleted the fall session recommendation, and eliminated the new personnel director. The Senate also modified a fiscal recommendation, allowing the President to reduce spending at his discretion instead of requiring an across-the-board reduction.

⁹ See footnote 5.

¹⁰ President Harry S Truman proposed granting home rule to the residents of the District of Columbia during his presidency.

Legislative Reorganization Act of 1970, 91st Congress (1969-1970)

Creation, Membership, and Funding

Creation

The 1970 Legislative Reorganization Act was the product of more than 5 years of work, spread over three Congresses. It began with the creation of a Joint Committee on the Organization of the Congress in March 1965, and concluded when the House concurred in Senate amendments to the bill H.R. 17654 on October 8, 1970, and sent the measure to the President, who signed it (P.L. 91-510).

The charge to the 1965 joint committee was essentially the same as the charge given to the 1945 joint committee, which had led to the 1946 Legislative Reorganization Act. The resolution creating the 1965 committee stated that the committee was to “make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view towards strengthening the Congress, simplifying its operations, improving its relationship with other branches of the United States Government and enabling it better to meet its responsibilities under the Constitution.”

Despite the extensive changes that took place because of the 1946 Act, Members eventually felt the law had not gone far enough. “[C]omplaints soon surfaced about some of its deficiencies, omissions, and outright failures. New grievances about congressional conditions were added in the years that followed. Calls for reform were increasingly voiced not only in the press, among students of the place and in Congress itself, but also among elements of the informed public,” wrote congressional scholar Walter Kravitz.¹¹

During the 5 years it took for the reorganization effort to wend its way to enactment, from 1965 to 1970, institutional tensions between the legislative branch and the executive branch escalated. The Vietnam War raised questions about the role each branch played in war powers; President Nixon battled with Congress over spending appropriated funds. Congress moved to reassert its role with passage, over the president’s veto, of the 1973 War Powers Resolution (P.L. 93-148). The budget fights led to passage of the 1974 Congressional Budget Control and Impoundment Act (P.L. 93-344), which created the House and Senate Budget Committees and the Congressional Budget Office and set up a budget process for Congress to follow, separate from the executive branch. The 1970 Act was part of a broad effort to by Congress to assert its authority over the executive branch and to increase its access to information.

Membership

The original 1965 joint committee consisted of six Senators and six Representatives, equally divided by party. Senators on the committee were: A.S. “Mike” Monroney (D-OK); John J. Sparkman (D-AL); Lee Metcalf (D-MT); Karl E. Mundt (R-SD); Clifford P. Case (R-NJ); and J. Caleb Boggs (R-DE); House members were: Ray J. Madden (D-IN); Jack Brooks (D-TX); Ken Hechler (D-WV); Thomas B. Curtis (R-MO); Robert P. Griffin (R-MI); and Durward G. Hall (R-MO). When Rep. Griffin resigned from the House in 1966 to accept appointment to the Senate, he was replaced by Rep. James C. Cleveland (R-NH).

¹¹ Walter Kravitz, “*The Legislative Reorganization Act of 1970 and Its Aftermath*,” prepared for the symposium on Service to Congress: The Congressional Research Service at 75, 1989, p. 2.

On April 22, 1969, Rep. William M. Colmer (D-MS), chairman of the House Rules Committee, appointed a special five-member subcommittee to review congressional reorganization proposals and make recommendations. The Special Subcommittee on Legislative Reorganization was chaired by B.F. Sisk (D-CA). Other members were: Ray J. Madden (D-IN), Richard Bolling (D-MO), H. Allen Smith (R-CA), and Delbert L. Latta (R-OH). Mr. Madden resigned from the subcommittee on May 6 and was replaced by Rep. John Young (D-TX).

Funding

The 1965 joint committee was authorized under H.Con.Res. 4 to spend \$150,000.

Committee Activity and Recommendations

The Joint Committee on the Organization of the Congress held 40 days of hearings between May 10 and September 23, 1965. It heard from 199 witnesses, including Members of Congress, political scientists, and other government officials. The committee issued its final report on July 28, 1966 (S. Rept. 1414, 89th Congress, 2nd Session). It contained some 120 recommended changes to the operation of Congress, ranging from those affecting the committee system to the imposition of fiscal controls to increases in staffing. Legislation was introduced in both chambers that year but saw no action. It was reintroduced in the Senate in 1967 as S. 355. The Senate passed the bill by a vote of 75-9 on March 1967, but the measure saw no action in the House.

In 1969, the House Rules Committee's Special Subcommittee on Legislative Reorganization held 16 executive sessions over several months. After compiling a draft of a bill, the special subcommittee instructed its staff to hold a series of briefings for Members to explain the measure to them. Those briefings were held October 16, 17, 20, and 21, and were attended by some 80 House Members and staff. Through October, November and December, the special subcommittee held a series of hearings on its draft bill, at which 44 people testified and 44 more submitted their views for the record. These hearings were published in a 453-page volume in early 1970. The special subcommittee revised its draft and reported a measure to the full House Rules Committee early in 1970. That panel reported the measure on May 12, with amendments (H.R. 17654, H.Rept.. 91-1215).

The House began debate on the bill on July 13 and passed it, amended, on September 17 by a vote of 326-19. The legislation went directly to the floor in the Senate. The Senate passed the bill, amended, by a vote of 59-5 on October 6. The House concurred in the Senate amendments on October 8, by voice vote, clearing the measure. President Nixon signed the bill into law on October 26, 1970 (PL 91-510).

House Committee System

Unlike the 1946 Act, the 1970 Act focused more on rules governing committees, not the committee structure itself. One of the complaints heard most frequently from Members was that committee chairs wielded too much power. Many of the changes in the process were designed to give greater voice to the minority Members on committees and to make sure that a chair could not always override the wishes of a majority of the committee. Also, the special subcommittee had recommended that the House clarify that the rules of the House apply to its committees and that committee rules apply to its subcommittees.

The recommendations of the 1965 joint committee formed the backbone of the House special committee's work. So while the specific legislation that led to the 1970 Legislative Reorganization Act can be traced back to legislation coming out of the special committee's work,

many of those recommendations, particularly those dealing with the Senate, originated several years earlier with the joint committee.

To improve the functioning of committees, the special subcommittee recommended that each committee adopt written rules, which could not be inconsistent with House rules, and select a regular meeting day to conduct its business, though additional meetings could be added at the discretion of the chair. It recommended that a majority of a committee could call a special meeting without the assent of a committee chair, and the ranking majority member should preside over the committee in the absence of the chair. A majority of the minority party should be allowed to call witnesses during at least one day of hearings.

Dates and times of hearings should be announced at least one week in advance, the subcommittee recommended, unless the committee determined it could not meet this deadline, in which case it was to be “noticed” as soon as possible in the Daily Digest of the *Congressional Record*. The House Rules Committee was exempted.

The special subcommittee said that committee reports should be filed within seven days of a request to do so by a majority of the committee. This recommendation was intended to get around a chair who, when opposed to a bill, declined to report it to the full House, despite the action of the committee. This recommendation was matched by a new policy to allow the Speaker to recognize a member of a committee to call up a bill on the floor if the Rules Committee had made it in order, even if the Member was not the chair of the committee.

The special subcommittee recommended that the minority should be given three days in which to file their opinions for a committee report if they “noticed” their intent at the time of the committee markup. Reports must be available at least three calendar days before House consideration of a bill. And, for appropriations bills, printed committee hearings were also to be available at least three days in advance of the floor action. The House Rules Committee was exempted from many of these proposals.

To provide greater public scrutiny of Congress’s business, the special subcommittee recommended that committee business meetings and hearings be open to the public unless a majority vote of a committee closed hearing. On each motion to report, the committee must record the votes for and against the motion and include the votes in its report.

The special subcommittee recommended that committees allow their hearings to be broadcast, when authorized by a majority vote of a committee. This recommendation included radio, television, and still photography. While committees were to determine the rules governing such broadcasts, the special subcommittee recommended that, at a minimum, committee rules require that a broadcast be uninterrupted and not commercially sponsored; no subpoenaed witness be depicted without his or her permission; cameras be limited to four fixed locations; and broadcasting not interfere with conduct of a hearing.

The special subcommittee also recommended some administrative changes in the way committees functioned. It recommended that proxy voting be barred in committees unless the committee’s rules permitted it, in which case a proxy must be in writing, designate who was to cast it, and be limited to a specific measure or amendments to a measure. The special subcommittee recommended that committees be allowed to meet when the House was in session, unless the House was debating a bill under the five-minute rule. Even then, five specific committees, Rules, Appropriations, Government Operations, Internal Security, and Standards of Official Conduct, could meet. It also recommended that witnesses be required to provide their written statements in advance of their testimony when it would be possible to do so. And, it called on committees to provide an annual report of their activities of the previous year, except for the Appropriations, Rules, House Administration, and Standards of Official Conduct Committees.

The special subcommittee recommended a funding process for all committees. Each committee was to file a single, annual funding request for itself, which had to be available to Members for at least one day before the chamber acted on it. If the committee exceeded its approved spending, it would have to come back to the House with an explanation of why it needed additional funding.

Staff

The special subcommittee made a series of recommendations to allow more information to flow to Members about legislation. It recommended an increase in the number of professional staff authorized for each committee to six from four and authorized committees to hire consultants, subject to the approval of the House Administration Committee.

The special subcommittee recommended that a majority of a committee's minority members could hire two of the six professional employees, and one of the six clerical positions, subject to approval of a majority vote of a committee. Any staff member could be fired by a majority vote of the committee. The Committees on Standards of Official Conduct and Appropriations were exempt from many of these proposed rules.

The special subcommittee recommended that each House Member be authorized to hire an administrative assistant at pay not to exceed \$8,955 per year. This recommendation was designed to match the structure in the Senate, which already authorized a top office staff member.

Budget Matters

The special subcommittee recommended that the Appropriations Committees in both chambers hold a hearing within 30 days of submission on the entire budget proposed by the President. The special subcommittee called on the Treasury Department and the Office of Management and Budget to come up with uniform fiscal measurements for programs and to supply committees, upon request, detailed program information on government agencies. The special subcommittee envisioned a bigger role for the Comptroller General, the head of the General Accounting Office. That office was to provide analysis of existing programs and provide to committees staff expert in doing cost-benefit analysis.

The special subcommittee also called on the President to provide 5 years' worth of detailed program information for each program, the current fiscal year and four succeeding ones.

It also recommended that each House report be required to include a cost estimate for the bill it accompanied.

Administrative Proposals

The special subcommittee recommended creation of a Joint Committee on Data Processing to help coordinate the acquisition and use of computers and technology. The committee was to consist of 12 Members, six from each chamber, equally divided between the majority and minority parties.

The special subcommittee also recommended that the Legislative Reference Service, a division of the Library of Congress that was designed to provide research support to lawmakers, be renamed the Congressional Research Service (CRS) and its responsibilities be expanded and redefined. The new CRS would be authorized to require government agencies to provide information, and could hire temporary services of experts or consultants.

The special subcommittee recommended that the Joint Committee of Congress on the Library be renamed the Joint Committee on the Library and Congressional Research to make clear that this panel was to oversee the operations of CRS.

The special subcommittee recommended the abolition of the Joint Committee on Immigration and Nationality Policy.

The special subcommittee recommended that, in the House, the reading of the *Journal*¹² be dispensed with and that a vote on the *Journal* be non-debatable. This recommendation came in response to the use of the reading of the *Journal* and votes on its approval as dilatory tactics by the minority.

The special subcommittee recommended codifying the practice that conference agreements be prepared jointly by conferees of the two houses, and that time for debate on a conference report be divided equally between the majority and minority.

The special subcommittee recommended that, when House Members raised points of order against a bill because it included nongermane amendments, the House debate the motion for 40 minutes and that a two-thirds vote be required to permit the amendments to stand.

The House parliamentarian, the special subcommittee recommended, should prepare and have printed new compilations of House precedents every 5 years. A condensed and up-to-date version should be printed at the beginning of each Congress.

The special subcommittee recommended the creation of the Capitol Guide Service to provide free, organized tours of the Capitol for the public.

Senate Provisions

The Senate agreed to make it easier for a majority of committee members to call a meeting. It also adopted a series of changes designed to give more power to Members, not chairs, of committees. Those included a requirement that committee reports be filed within seven days of committee action, that a committee's minority party be allowed to call witnesses during at least one day of hearings, and that members have three days to file minority views for committee reports.

The Senate agreed to ban general proxy voting (but permit specific proxies), and to require that each committee file a single annual expense report.

Most Senate standing committees were reduced in size, and, for future assignments, Senators were restricted to service on two major committees and one minor one. It also restricted Senators to service on only one of the following committees at a time: Appropriations, Armed Services, Finance, and Foreign Relations. In the future, Senators also could hold not more than one chairmanship, or more than one subcommittee chairmanship, on any major committee.

The Senate renamed its Banking and Currency Committee to the Committee on Banking, Housing and, Urban Affairs, and gave it jurisdiction over urban affairs generally. The Senate created a Committee on Veterans' Affairs with jurisdiction transferred from three other standing committees.

The Senate authorized the addition of two professional staff for each standing committee. The minority party was afforded the right to hire two staff authorized for a committee. Senate staff salary maximums were increased to roughly match the House.

¹² *Journal of the House of Representatives of the United States.*

The Senate prohibited floor consideration of a measure unless the report on it had been available for at least three calendar days, though the majority and minority leaders could agree to waive this rule. If the two leaders agreed, committees also would be allowed to sit while the Senate was in session.

For both the House and the Senate, conference procedures were changed to require that both chambers print conference reports, that conferees of both chambers jointly prepare an explanatory statement to accompany a conference report and that debate time on a conference report be equally divided between the majority and minority parties.

Final Action

A few of the recommendations of the House subcommittee were changed several times during the course of congressional consideration, and additional changes were adopted later. The House provided that the minority was to receive no less than one-third of committee staff. Members also agreed to begin recording how each Member voted during teller votes taken in the Committee of the Whole, and to allow as few as 20 Members to obtain a roll call vote. The provision on nongermane amendments, requiring only a majority vote for an amendment for it to succeed, was modified. Finally, the House struck from the bill the provision creating a top administrative staffer for Members' personal offices. The Senate added a new Veterans' Affairs Committee to its roster.

Finally, the Joint Committee on Congressional Operations was established. Made up of 10 members, five from each chamber, the committee was instructed to continue to study the organization and operations of Congress and make recommendations about improvements. The committee was also to oversee the new Office of Placement and Office of Management, which were created to assist Members in finding staff and provide help with office problems.

Party Caucus Reforms, 92nd, 93rd, and 94th Congresses (1971-1975)

Procedural reforms in the House Democratic Caucus and House Republican Conference between 1971 and 1975 substantially affected committee organization and assignment procedures in the House of Representatives.

These reforms were generally advocated by more junior, reform-minded Members of both parties, who were influenced by the changes underway in society as a whole during this period and sought to have the House reflect these developments. The broad changes in American Society included the civil rights movement, growing opposition to American military involvement in Southeast Asia, and the widespread questioning of authority engendered by the Watergate scandal that caused President Richard M. Nixon to resign under threat of congressional impeachment. Junior Democratic Members joined forces with other reformers in Congress to push for institutional reforms in a House they viewed as largely dominated by senior and conservative Southern Members who often sided with Republicans.

Some Members may have concluded that the organization and membership of Congress had not kept pace with societal changes. As one Member noted of new Members,

“We were the children of Vietnam, not World War II. We were products of television, not of print. We were products of computer politics, not courthouse politics. And we were reflections of JFK as president, not FDR.”¹³

¹³ Ronald D. Elving, “Rebels of ‘94 and ‘Watergate Babies’ Similar in Class Size, Sense of Zeal,” *Congressional Quarterly Weekly*, Jan. 24, 1998, pp. 160-161

Among the key impacts of the Democratic Caucus and Republican Conference reforms were a decrease in the power of committee chairs, a weakening of the seniority system, and a strengthening of the hand of House leadership over scheduling and committee assignments. The reforms also gave junior Members additional mechanisms to influence the workings of the chamber, including procedures to bypass closed rules on major legislation, separate votes on committee chairs, giving a role for Members in establishing subcommittee jurisdiction, as well as a place on the panel making standing committee assignments.

1971-Democratic Caucus

Many reform-minded Members of the House expressed the view that the 1970 Legislative Reorganization Act did not go far enough and that additional reforms needed to be made. Toward that end, the Democratic Study Group, an organization of progressive, Democrats, was successful in convincing the Democratic Caucus to create a special caucus committee, the Committee on Organization, Study, and Review (OSR), to examine proposals for reform.

On January 20, 1971, the Democratic Caucus adopted the first set of proposals put forth by the OSR. Under this plan:

- The Democratic Committee on Committees, made up of the Democratic members of the House Ways and Means Committee, would recommend nominees for the chairmanship and membership of each committee. These nominations were no longer required to be based on seniority.
- The Committee on Committees would recommend committee chairmanships separately rather than as a slate. At the request of 10 caucus members, a nomination for a chair could be separately debated and voted upon.
- Democratic House Members would be limited to one subcommittee chairmanship, and each subcommittee chair would be entitled to hire one staff aide. In addition, the chair of a committee could not simultaneously serve as chair of more than one subcommittee of that committee. These changes opened approximately 40 subcommittee chairmanships to junior Members.

Not all attempts at change made by junior Members were successful. An effort to unseat the chair of the House District of Columbia Committee and replace him with a more junior committee member was rejected. Another effort to seat the outgoing chair of the Democratic Study Group on the Ways and Means Committee failed. Finally, even after reforms were adopted by the Democratic Caucus, two committee chairs were able to implement procedural changes on their individual panels which lessened the effect of the new rules.

1971-Republican Conference

On January 20, House Republicans agreed to allow all of their Members to vote on nominations for ranking minority members on committees. In doing so, the Republican Conference approved the recommendations of a Republican task force on seniority chaired by Rep. Barber B. Conable Jr. (R-NY). The recommendations eliminated the requirement that ranking membership on committees be, in effect, automatically based on seniority.

Under these new procedures, the Republican Committee on Committees, made up of one Representative from each state that had Republican Members in the House, would nominate a Member to be ranking on each committee. The conference would then vote separately and by secret ballot on each nomination. If the nomination was rejected, the Committee on Committees would nominate another Member.

The Members also agreed that when Republicans won a majority in the House, the same procedures would apply toward the selection of committee chairs.

1973-Democratic Caucus

In 1973, some Members in the Democratic Study Group, as well as outside lobbying groups such as Common Cause and Americans for Democratic Action, waged a nearly 2-month effort to institute further reforms in the House Democratic Caucus. On February 21, the Democratic Caucus adopted a series of procedural changes, including changes to:

- require that all House committee hearings be open unless they dealt with matters of national security or could injure personal reputations; markups could only be closed by majority vote at the beginning of a committee session; (The House later adopted these provisions in a slightly modified version as amendments to the House rules.)
- adopt a change that would allow 50 Members to secure a caucus vote on directing the House Rules Committee to make an amendment in order on the House floor; this change was intended to halt the practice of committee chairs bringing major legislation to the floor without an opportunity for floor amendment;
- permit a secret-ballot vote on the nomination of any committee chair at the demand of 20% of the caucus;
- strip the chair of the Ways and Means Committee of the role of chair of the Committee on Committees and replacing that person with the Speaker; the House majority leader and caucus chair were added to the panel; and
- create a new committee, the Democratic Steering and Policy Committee, to promote party policy and unity; membership would include the caucus chair, four deputy whips, three Members appointed by the Speaker, and 12 Members elected by a vote of the Democratic Caucus.

Finally, the caucus approved a so-called Subcommittee Bill of Rights that authorized each subcommittee to meet, hold hearings, and act. It empowered the caucus of Democrats on each committee to establish subcommittee jurisdictions; set party ratios on subcommittees; and choose subcommittee members and chairs, guaranteeing all Democratic members of a committee a major subcommittee assignment. Subcommittees were guaranteed independent budgets, and committee chairs were required to refer measures to subcommittees in accordance with the committees' written jurisdictions.

1974 and 1975 - Democratic Caucus

Additional changes to assignment procedures and seniority were made in meetings in December 1974 and January 1975 in the House Democratic Caucus. These changes were supported by reformers in Congress with the assistance of a large class of Democratic freshman who were elected to the 94th Congress.

The authority to make Democratic committee assignments was transferred from the House Committee on Committees, which consisted of the Democratic Members of the House Ways and Means Committee, to the Steering and Policy Committee. Democrats required automatic secret-ballot votes on committee chairs and allowed for additional nominations for committee chair if the first nominee was rejected.

Within two weeks of making these procedural changes regarding the selection of committee chairs, House Democrats, through a series of votes in the Democratic Steering Committee and in the Democratic Caucus, ended in practice the strict operation of the seniority system by removing three standing committee chairs.

Additional changes were made in the December and January meetings of the caucus, including requiring nominations for the chairs of Appropriations subcommittees to be approved by the caucus. The Speaker was allowed to nominate all Democratic members of the Rules Committee. The caucus recommended changing House rules to require open conference committee meetings. The House also renamed three standing committees, made the Select Committee on Small Business a standing committee, and abolished the controversial House Internal Security Committee, which had been previously named the House Un-American Activities Committee.

House Select Committee on Committees (Bolling Committee), 93rd Congress (1973-1974)

Creation, Membership, and Funding

Creation

The Select Committee on Committees was established in the 93rd Congress in response to widespread Member dissatisfaction with the existing committee structure. As Rep. Bolling stated in House debate on the reform resolution, “Twenty-eight years ago is the last time the House reorganized itself. I do not believe that there is a Member here, no matter how much he may disagree with the content of this resolution, who does not agree that there needs to be a reorganization.”¹⁴ Reps. Richard Bolling (D-MO) and Dave Martin (R-NE) introduced H.Res. 132 on January 15, 1973, and the resolution was subsequently referred to the House Rules Committee. On January 31, 1973, the resolution passed the House by a vote of 282-91. The Select Committee on Committees dissolved at the of the 93rd Congress, consistent with its authorizing legislation.

While a set of reforms less sweeping than those proposed by the committee ultimately passed the House of Representatives (and even some of these changes were later repealed), the recommendations made by the Select Committee on Committees laid the groundwork for several subsequent congressional committee reform efforts, including those undertaken in the United States Senate,¹⁵ by the Joint Committee on the Organization of Congress in 1991-1994, and by the Republican majority that took power in the House in 1995. The latter two efforts are discussed in detail in later sections of this report.

Under H.Res. 132, the select committee was “authorized and directed to conduct a thorough and complete study with respect to the operation and implementation of Rules X and XI....,including

¹⁴ Rep. Richard Bolling, Remarks in the House, *Congressional Record*, vol. 120, September 30, 1974 p. 32953.

¹⁵ In 1976, the Senate undertook a reform and restructuring effort that, in many regards, echoed the recommendations of the Bolling committee. The Temporary Select Committee to Study the Senate Committee System, often called the “Stevenson committee” after its chair, Senator Adlai Stevenson III (D-IL), issued recommendations for reorganizing aspects of the Senate committee system. These recommendations, as adopted in S.Res. 4 of the 95th Congress, reduced the number of Senate committees, consolidated their jurisdictions, set limits on the assignment of Senators to committees and subcommittees, institutionalized committee scheduling practices, and reformed the allocation of committee staff between the majority and minority parties. For more information on the work of the Temporary Select Committee, see S.Res. 4, 95th Cong., 1st sess., and *Congressional Quarterly Almanac*, 1977, (Washington: Congressional Quarterly, 1977), pp. 781-790.

committee structure of the House, the number and optimum size of committees, their jurisdiction, the number of subcommittees, committee rules and procedures, media coverage of meetings, staffing, space, equipment, and other committee facilities.”

Membership

The Select Committee on Committees was made up of five Democrats and five Republicans, each appointed by Speaker of the House Carl Albert (D-OK). The committee was chaired by Rep. Richard Bolling and is popularly referred to as the Bolling committee. Other Members appointed to the select committee were Reps. Robert G. Stephens Jr. (D-GA); John C. Culver (D-IA); Lloyd Meeds (D-WA); Paul S. Sarbanes (D-MD); Dave Martin; who served as vice chair of the select committee, Peter H.B. Frelinghuysen (R-NJ); Charles E. Wiggins (R-CA); William A. Steiger (R-WI); and C.W. “Bill” Young (R-FL).

Funding

H.Res. 132 authorized \$1.5 million for the budget of the select committee.

Committee Activity and Recommendations

The select committee conducted hearings and panel discussions, and received the testimony of Members of the House. It interviewed a large number of House committee staff and also commissioned a number of specialized studies. Hearings began on May 2, 1973, and concluded October 11. The select committee issued a working draft report on committee jurisdiction and procedure in the House on December 7.

The Bolling committee committed most of its recommendations to legislation, H.Res. 988, which was given extensive review by the House Democratic Caucus. After a period of review, the caucus voted to direct the Rules Committee to issue a rule for consideration of three pieces of reform legislation on the House floor: the Bolling committee’s H.Res. 988, a less sweeping amendment in the nature of a substitute to H.Res. 988 forwarded by Rep. Julia Butler Hansen; and a affirmative piece of legislation offered by Bolling committee Vice Chair Dave Martin, which included provisions of both the Bolling and Hansen resolutions. Extensive debate and amendment followed in the House, and the Hansen substitute to H.Res. 988 was eventually agreed to October 8.¹⁶

Hearings

On May 2 and 3, 1973, the select committee heard testimony from Speaker Carl Albert (D-OK) and Minority Leader Gerald R. Ford (R-MI). The Speaker’s testimony generally avoided specific reform recommendations, but stressed his support for the idea of allowing the Members of each new Congress to meet in December, a month before the official session opening, to dispose of time-consuming organizational matters that he felt bogged down Congress’s productivity.

Minority Leader Ford expressed support for that idea as well, and in his testimony focused on a number of specific ways committees should be reformed, including splitting the Education and Labor Committee into two committees and shifting some of the workload away from the

¹⁶ For more information on the three reform proposals, see Rep. Olin E. Teague, remarks in the House, *Congressional Record*, vol. 120, Sept. 30, 1974, pp. 32959-32963.

Interstate and Foreign Commerce Committee and Banking and Currency Committee. The minority leader stopped short of calling for the abolition of any House committees.

A hearing on May 9, focused on the work of the Education and Labor Committee and the House Post Office and Civil Service Committee, with the select committee hearing from both panels' chairs.

Hearings on May 16-18, continued the focus on whether to split the Committee on Education and Labor. The May 18 hearing also marked the first substantive statement by Chairman Bolling about specific reform proposals. During that session, Bolling proposed that the House take from standing committees the power to create subcommittees. He also suggested splitting oversight functions into three areas of jurisdiction, with some oversight handled by authorizing committees, some by an expanded Government Operations Committee, and some by the Appropriations Committee or a new Budget Committee.

Hearings on June 6-8, focused on Congress's dealings with the federal budget. The jurisdictions of the House Foreign Affairs, Internal Security, and Science and Astronautics Committees were also examined and the select committee heard from the chairs of those panels.

Hearings on October 3-5 and October 11, heard from outside witnesses, including a leading consumer rights activist, the chair of Common Cause, the director of the AFL-CIO Legislative Department, and the director of the Washington bureau of the National Association for the Advancement of Colored People (NAACP).

On December 7, 1973, the select committee issued a working draft report of its recommendations.

Initial Recommendations: Committee Jurisdiction

The December working draft report of the select committee proposed changing the jurisdiction of 16 of the 21 standing House committees.

Under the proposal, one committee (Veterans' Affairs) would have no jurisdictional change. Three standing committees (Internal Security, Post Office and Civil Service, and Merchant Marine and Fisheries) would be abolished altogether as would the Select Committee on Small Business. Three standing committees would receive significant jurisdictional changes. The Education and Labor Committee would be split into two committees, one overseeing education, the other labor. The Interior Committee would become the Committee on Energy and Environment. The Public Works Committee would become the Public Works and Transportation Committee. In addition, a new Budget Committee would be formed.

Table 1 below details the changes in standing committee jurisdiction proposed in the working draft report.

Table I. Proposed Changes in Standing Committee Jurisdiction^a

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Agriculture (to become Agriculture and Natural Resources)	Agriculture. Agricultural colleges and extension services. Farm Credit. Food stamps. Public Law 480. Sugar Act. Commodities exchanges. School milk. Forestry. Soils and plants. Small watersheds. Animal welfare. Rural development. Pesticides. Nutrition.	Agricultural colleges (to Education). Food stamps (to Ways and Means). Public Law 480, except for domestic production (to Foreign Affairs). Commodities exchanges (to Commerce and Health). School milk (to Education). Small watersheds (to Energy and Environment).	Public lands, except leasing and management of energy resources (from Interior). Forestry (from Interior). Parks and wilderness (from Interior). District of Columbia parks (from Public Works). Wildlife (from Merchant Marine and Fisheries and Interior). Fish and fisheries (from Merchant Marine and Fisheries). Marine affairs (partial jurisdiction; from Merchant Marine and Fisheries). Commodity Credit Corporation (from Banking and Currency).
Appropriations	Appropriations of the revenue for the support of the government.	No jurisdictional loss was proposed.	Rescission authority for previous fiscal years. Transfer authority.
Armed Services	Armed Services procurement. Military programs and their operations. Civil defense. Common defense. Foreign intelligence. Foreign military aid. Military personnel and their dependents.	Exclusive jurisdiction over military research and development (jurisdiction to be shared with Science and Technology). Foreign intelligence (jurisdiction to be shared with Foreign Affairs and Appropriations). Naval petroleum and oil share reserves (to Energy and Environment).	Arms control and disarmament (partial jurisdiction; to be shared with Foreign Affairs).

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
	<p>Military research and development.</p> <p>Military security.</p> <p>Military housing.</p> <p>Military installations.</p> <p>Service academies.</p> <p>Military administration.</p> <p>Selective Service.</p> <p>Stockpiles and reserves.</p> <p>Naval petroleum and oil share reserves.</p>		
Banking and Currency (to become Banking, Currency, and Housing).	<p>Banks and banking.</p> <p>Coins and coinage.</p> <p>Currency.</p> <p>Economic stabilization and defense production measures.</p> <p>Foundations and charitable trusts.</p> <p>Government lending.</p> <p>Housing and urban development.</p> <p>Mass transit.</p> <p>Insurance.</p> <p>International finance.</p> <p>International trade and export controls.</p> <p>Money and credit.</p> <p>Small business.</p>	<p>Mass transit (to Public Works and Transportation).</p> <p>Foundations and charitable trusts (to Ways and Means).</p> <p>Commodity Credit Corporation (to Agriculture and Natural Resources).</p> <p>International Trade (to Foreign Affairs).</p>	<p>Select Committee on Small Business.</p> <p>Renegotiation (from Ways and Means).</p>
District of Columbia	<p>All matters relating to the municipal affairs of the District, other than appropriations.</p>	<p>No jurisdictional loss was proposed.</p>	<p>Howard University, Freedmen's Hospital, St. Elizabeth's Hospital, Federal City College (from Education and Labor).</p>

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Education and Labor (education functions split off to become House Education Committee)	Insurance, executors, administrators, wills, and divorce. Municipal code and amendments to the criminal and corporation laws. Regulation of the sale of intoxicating liquor. Taxes and tax sales.		
	Aging. Preschool, elementary, secondary and post-secondary education. Arts and humanities. Education technology. Educational and library facilities. Freedmen's Hospital in the District of Columbia. International education. Legal services. Special education. St. Elizabeth's Hospital in the District of Columbia. Gallaudet College. Native American education. Howard University.	Legal services (to Judiciary). Freedmen's Hospital (to District of Columbia). St. Elizabeth's Hospital (to District of Columbia). Howard University (to District of Columbia).	Prison education (from Judiciary). School milk (from Agriculture). Health services training (from Interstate and Foreign Commerce). Agricultural colleges (from Agriculture).
Education and Labor (labor functions split off to become House Labor Committee)	Agricultural and migrant labor. Child labor. Convict labor and prison produced goods. Discrimination against the aged. Equal employment opportunity and fair employment practices.	No jurisdictional loss was proposed.	Unemployment compensation (from Ways and Means). WIN (from Ways and Means). Civil Service generally, including the status of officers and employees, their compensation and classification, employee travel, transportation and subsistence (from Post Office and Civil Service).

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Foreign Affairs	<p>Foreign contract labor. Miner safety. Labor standards. Labor statistics. Manpower and vocational education. Mediation and arbitration. Occupational Safety and Health Act. Pensions. Wages and hours. Workmen's compensation.</p>		
	<p>Foreign policy of the United States. Arms control and disarmament. Embassies and legations abroad. International boundaries. Foreign loans. International conferences and congresses. Foreign military intervention. Diplomatic service. Encouragement of international trade. Protection of business investments abroad. Neutrality. Protection of US citizens abroad; expatriation. American Red Cross. United Nations organizations. International finance and monetary organizations.</p>	<p>Arms control (jurisdiction to be shared with Armed Services).</p>	<p>Trade and tariffs (from Ways and Means). Public Law 480, other than its domestic production functions (from Agriculture). Foreign intelligence (in conjunction with Appropriations and Armed Services). International fishing agreements (Merchant Marine and Fisheries). Interoceanic canals (Merchant Marine and Fisheries). International trade (Banking and Currency).</p>

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Government Operations	Foreign policy agency authorizations. International environmental agreements. Foreign economic and security assistance.	No jurisdictional loss was proposed.	
	Executive reorganizations. Intergovernmental relationships. Budget and accounting. Freedom of information. Federal procurement. Comptroller General Economy and efficiency of government activities. General Services Administration. Evaluation of legislative reorganization acts.		Postal Service (from Post Office and Civil Service). Census (from Post Office and Civil Service). National Archives (from Post Office and Civil Service). Holidays and celebrations (from Judiciary). Hatch Act (from House Administration). Revenue sharing (from Ways and Means). Territories (from Interior and Insular Affairs). Indians (from Interior and Insular Affairs).
House Administration	Contingent fund appropriations. Member allowances. Federal elections. Hatch Act. House Information Systems. House employees. House office space assignments. Committee investigative funds. Campaign finance. Printing. House restaurant. Congressional Record. Library of Congress. Smithsonian.	Elections (to Standards of Official Conduct). Campaign finance (to Standards of Official Conduct). Hatch Act (to Government Operations).	Management and administration of House restaurant, parking, and beauty shop (from individual committees).

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Interior and Insular Affairs (to become Energy and Environment)	<p>Botanic Garden.</p> <p>Environment, not including NEPA, clean air, clean water, solid waste, and noise pollution.</p> <p>National parks and recreation.</p> <p>Native Americans.</p> <p>Public lands.</p> <p>Land use planning.</p> <p>National forests.</p> <p>Minerals and energy.</p> <p>Mining.</p> <p>Territories.</p> <p>Water and power.</p> <p>Wilderness areas.</p> <p>Wildlife refuges.</p>	<p>Forests (to Agriculture and Natural Resources).</p> <p>National parks and recreation (to Agriculture and Natural Resources).</p> <p>Native Americans (to Government Operations).</p> <p>Public lands, except leasing of energy resources (to Agriculture and Natural Resources).</p> <p>Territories (to Government Operations).</p> <p>Wildlife refuges (to Agriculture and Natural Resources).</p> <p>Wilderness areas (to Agriculture and Natural Resources).</p>	<p>Environmental policy; coastal zones (from Merchant Marine and Fisheries).</p> <p>Clean air and drinking water; noise; solid waste and toxic substances (from Interstate Foreign Commerce).</p> <p>Clean water (from Public Works).</p> <p>Ocean dumping (from Public Works, and Merchant Marine and Fisheries).</p> <p>Radiation (from Joint Committee on Atomic Energy, and Merchant Marine and Fisheries).</p> <p>Energy conservation and regulation (from Interstate Foreign Commerce).</p> <p>Energy power administrations (from Public Works).</p> <p>Energy taxes (from Ways and Means).</p> <p>Naval petroleum reserves (from Armed Services).</p> <p>Small watersheds (from Agriculture).</p> <p>Flood control (from Public Works).</p>
Internal Security (to be disbanded.)	<p>Communist activities.</p> <p>Internal security.</p> <p>Obstructing or opposing government authority.</p> <p>Overthrow of government.</p> <p>Revolutionary organizations.</p> <p>Subversive activities.</p>	<p>Transfer all jurisdiction to Judiciary Committee.</p>	
Interstate and Foreign Commerce (to become Commerce and Health)	<p>Aviation.</p> <p>Communications.</p> <p>Consumer protection.</p> <p>Energy regulation.</p> <p>Environment.</p> <p>Health.</p>	<p>Aviation (to Public Works and Transportation).</p> <p>Energy regulation (to Energy and Environment).</p> <p>Environment – clean air, solid waste, noise (to Energy and Environment).</p>	<p>Biomedical research (from Science and Astronautics).</p> <p>Commodities exchanges (from Agriculture).</p> <p>Maternal and child health (from Ways and Means).</p>

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Judiciary	Insurance. Regulatory agencies. Securities and exchanges. Surface transportation. Trading with the enemy. Weather.	Health services training (to Education). Surface Transportation (to Public Works and Transportation). Weather (to Science and Technology). Clean drinking water (to Energy and Environment).	Non-tax-related aspects of Medicare and Medicaid (from Ways and Means). Patents, trademarks and copyrights (from Judiciary). Population (from Interior and Insular Affairs).
	Administrative law. Bankruptcy. Citizenship. Civil rights. Claims against the United States. Congressional matters. Constitutional law. Federal courts. Crime. Government relations. Holidays and celebrations. International law. Administration of justice. Monopolies and improper trade practices. National corporate charters. Patents, trademarks, and copyrights. Revision and codification of federal statutes.	Holidays and celebrations (to Government Operations). Patents, trademarks and copyrights (to Commerce and Health).	Internal Security (from Internal Security). Legal services (from Education and Labor). Impeachments and confirmation of vice presidential nominees under the 25 th amendment.
Merchant Marine and Fisheries (to be disbanded)	Coast Guard. Fishing and fisheries. Merchant marine.	Coast Guard (to Public Works and Transportation).	

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
	Panama Canal. Coastal zone management. International fishing conventions. Oceanography. National environmental policy. Offshore ports. Wildlife.	Fishing and fisheries (to Agriculture and Natural Resources). Merchant Marines (to Public Works and Transportation). Panama Canal (to Foreign Affairs). Coastal zone management (to Energy and Environment). International fishing conventions (to Foreign Affairs). Oceanography (to Science and Technology). National environmental policy (to Energy and Environment). Offshore ports (to Public Works and Transportation). Wildlife (to Agriculture and Natural Resources).	
Post Office and Civil Service (to be disbanded)	Civil service. Retirement. Postal Rate Commission. Railway mail service. Ocean mail. Pneumatic tube service. Status of officers and employees, their compensation and classification. Postal Service. Postal savings banks. National Archives. Census. Employee travel, transportation, and subsistence.	Civil service (to Labor). Retirement (to Labor). Postal Rate Commission (to Government Operations). Railway mail service (to Government Operations). Ocean mail (to Government Operations). Pneumatic tube service (to Government Operations). Status of officers and employees, their compensation, and classification (to Labor). Postal Service (to Government Operations).	

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Public Works (to become Public Works and Transportation)	Post roads. Franking.	Postal savings banks (to Government Operations). National Archives (to Government Operations). Census (to Government Operations). Employee travel, transportation, and subsistence (to Labor). Post roads (to Government Operations). Franking (to Standards of Official Conduct).	
	Water quality. Water power. Flood control. Disaster relief. Public buildings and grounds. Regional development. Rivers and harbors. Highways. Relocation assistance. Highway safety. Parks within the District of Columbia.	Water quality (to Energy and Environment). Water power (to Energy and Environment). Flood control (to Energy and Environment). Parks within the District of Columbia (to Agriculture and Natural Resources).	Mass transit (from Banking and Currency). Railway transportation (from Interstate and Foreign Commerce). Railroad labor (from Interstate and Foreign Commerce). Civil aviation (from Interstate and Foreign Commerce). Inland waterway traffic (from Interstate and Foreign Commerce). Merchant marine (from Merchant Marine and Fisheries) Interstate Commerce Commission, Civil Aeronautics Board, Federal Aviation Administration, Federal Railroad Administration, Maritime Administration, Amtrak (from Interstate Commerce, and Merchant Marine and Fisheries).
Rules	Final adjournment of Congress. Rules and joint rules of the House. Order of business of the House. Recess of Congress. Reorganization of Congress.	No jurisdictional loss was proposed.	A new bill referral appeal mechanism.

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
Science and Astronautics (to become Science and Technology)	Measurement. Research and development. Science. Science fellowships, scholarships, and grants. Science policy. Science centers. Scientific programs. Scientific resources including manpower. Space. Technology. Technology assessment. Technology transfer.	Science fellowships, scholarship and grants (to Education). Biomedical research and development (to Commerce and Health).	Overview of military research and development (to be shared with Armed Services). Oceanic and atmospheric sciences (from Merchant Marine and Fisheries). Energy research and development (from Interior and Insular Affairs, Commerce, Joint Committee on Atomic Energy, Merchant Marine and Fisheries). Civil aviation R&D (from Interstate and Foreign Commerce). Environmental R&D (from Interior and Insular Affairs, Public Works, Commerce, Merchant Marine and Fisheries.) Weather (from Interstate and Foreign Commerce).
Standards of Official Conduct	Code of official conduct. Financial disclosure. Lobbying. Campaign expenditures of House Members.	No jurisdictional loss was proposed.	Federal elections, including voter registration (from House Administration). Franking (from Post Office and Civil Service). Special Committee to Investigate Campaign Expenditures. Campaign finance (from House Administration).
Veteran's Affairs	Veterans affairs, including compensation, education, employment, healthcare, housing, insurance, and training.	No jurisdictional loss was proposed.	No jurisdictional gain was proposed.
Ways and Means	National health insurance. Public debt. Renegotiation. Revenue sharing. Social Security OASDI. Medicare Medicaid. Maternal and child health.	Maternal and child health (to Commerce and Health). Public debt (to Budget). Renegotiation (to Banking, Currency, and Housing). Revenue sharing (to Government Operations). WIN program (to Labor).	Food stamps (from Agriculture). Foundations and charitable trusts (from Banking and Currency).

Standing Committee (new committee names in parentheses)	Existing Committee Jurisdiction	Proposed Jurisdictional Loss	Proposed Jurisdictional Gain
	Public assistance. Unemployment compensation. WIN program. Taxes. Trade and tariffs. Transportation trust funds.	Trade and tariffs (to Foreign Affairs). Medicare and medicaid to Commerce and Health (non-tax aspects).	

Source:

- a. For further information on proposed jurisdictional changes, see "Jurisdiction Overhaul Recommended for House," *Congressional Quarterly Almanac*, 1973, pp. 755-769

Initial Recommendations: Other Matters

Jurisdictional change was the main focus of the December working draft report of the Select Committee on Committees. However, the select committee recommended other reforms to:

- direct Members to gather in Washington in the weeks before the formal opening of Congress to dispose of organizational matters, thus allowing them to be ready to conduct business as soon as sworn in;
- require major committees to establish oversight subcommittees;
- establish a House oversight agenda to be drawn up by leadership or by the Government Operations Committee;
- improve communication between committees that dealt regularly with the same federal agencies;
- eliminate proxy voting;
- make exclusive, 15 of the 22 proposed committees; and designate panels as “A” and “B;” and
- require that no legislation be reported by a committee unless a majority of a committee was present at the time of the vote to report.

Reform Legislation Drafted

When the select committee released its working draft report in December 1973, the draft was met with extensive criticism. The select committee met in February 1974 to revise its draft to increase its chances of adoption. While several changes were made to the working draft, the framework of proposed reform remained largely intact and was introduced as H.Res. 988.

One notable change between the working draft and H.Res. 988 made by the select committee was that the recommendation to abolish the Merchant Marine and Fisheries Committee was abandoned, although its jurisdiction was diminished.

Additionally, the Select Committee on Small Business would not have been abolished under H.Res. 988. Instead, it was given legislative jurisdiction, and H.Res. 988 proposed instead to eliminate the Banking and Currency Committee’s Small Business Subcommittee.

The contentious parts of the working draft report that would substantially reduce the workload of the Ways and Means Committee remained in H.Res. 988, despite the opposition of members of that panel.

H.Res. 988 called for 22 House committees. A new committee structure would be established designating 15 of these committees as “A” committees of generally equal stature, and seven as “B” committees with more limited jurisdictional purview.

That structure is shown in this chart:

“A” Committees	“B” Committees
Agriculture and Forestry	Budget
Appropriations	District of Columbia
Armed Services	House Administration

“A” Committees	“B” Committees
Banking, Currency and Housing	Merchant Marine and Fisheries
Commerce and Health	Small Business
Education	Standards of Official Conduct
Energy and Environment	Veterans Affairs
Foreign Affairs	
Government Operations	
Judiciary	
Labor	
Public Works and Transportation	
Rules	
Science and Technology	
Ways and Means	

H.Res. 988 retained the recommendations for an early House organizational meeting, elimination of proxy voting, and increased oversight.

In addition, the legislation allowed an increase in the professional and clerical staffs of committees, with the minority members of the committee being afforded the opportunity to select one-third of the staff and one-third of any investigative staff.

H.Res. 988 also authorized the Speaker to refer measures to more than one committee in joint, split, or sequential fashion, and to create ad hoc panels subject to the approval of the House.

On March 19, 1974, the Select Committee on Committees unanimously reported its revised resolution, H.Res. 988, and, at the request of the House Democratic Caucus, submitted the resolution to the caucus for its consideration and review.

Caucus Consideration and the Hansen Alternative

On May 9, 1974, the House Democratic Caucus voted by secret ballot on a motion offered by Rep. Phillip Burton (D-CA) to refer H.Res. 988 to the Democratic Committee on Organization, Study and Review, chaired by Rep. Julia Butler Hansen (D-WA) (referred to as “the Hansen committee”) for further consideration. Under the terms of the motion, the Hansen committee was to report back to the caucus by July 17.

On July 17, Rep. Hansen presented an alternative to the caucus, H.Res. 1248. H.Res. 1248 called for fewer changes to House rules than H.Res. 988, and left committee jurisdictions largely unchanged.

On July 23, the caucus adopted a resolution by voice vote urging the House Rules Committee to send the Hansen and Bolling proposals together to the House floor under an open rule.

Bolling vs. Hansen

The select committee (Bolling) resolution and the Hansen alternative differed in several aspects:

Select Committee (Bolling)	Hansen Alternative
Divided the Education and Labor Committee into two committees, one overseeing education, the other labor.	Education and Labor remained intact.
Abolished the Post Office and Civil Service Committee.	Post Office and Civil Service Committee remained intact and was given additional duties.
The Ways and Means Committee lost substantial jurisdiction, primarily over trade, health, and worker incentive programs.	Ways and Means lost little jurisdiction.
The Merchant Marine and Fisheries Committee lost jurisdiction.	The Merchant Marine and Fisheries Committee's jurisdiction remained intact.
The Rules Committee gained a new jurisdictional arbitration role in addition to its regular duties.	The Rules Committee's power was substantially reduced.
Required the establishment of oversight committees on all House standing committees.	Made the establishment of oversight committees on standing committees optional.
Eliminated proxy voting entirely.	Retained proxy voting under tighter regulation.
Minority on committees was entitled to up to one-third of the funds provided under investigating resolutions.	Each subcommittee chair and ranking minority member could hire one staff aide.

The Hansen alternative also required that committees with over 15 members establish at least four subcommittees; required early organizational meetings; allowed the Resident Commissioner and Delegates to sit on conference committees; required a majority of House Members appointed to a conference committee to support the House bill; established a Commission on Information and Facilities; directed the Speaker to complete a compilation of House precedents by January 1, 1977, and to update them every 2 years after that; and gave all standing committees subpoena authority subject to approval by the full House. It also required that subpoenas be authorized by the majority of a committee.

House Floor Consideration

On September 25, 1974, after four days of often contentious hearings in the House Rules Committee, the committee adopted a rule making H.Res. 988 in order for debate and amendment on the House floor. The Hansen resolution was made in order as an amendment in the nature of a substitute to H.Res. 988.

Six days of floor debate followed, opening on September 30, 1974. During debate:

- an amendment offered by Rep. Frank J. Thompson (D-NJ), adding to the Hansen substitute H.Res. 988's provisions regarding increased minority staffing, passed by a vote of 218-180;
- an amendment to delete provisions of the Hansen substitute that called for the elimination of the Committee on Internal Security was adopted by a vote of 246-164;
- an amendment was adopted to the Hansen substitute to establish a non-legislative Select Committee on Aging;

- a controversial provision of the Hansen substitute that would have diminished the power of the Rules Committee by allowing the Speaker to call up bills for floor consideration without rules was stricken by a vote of 295-104;
- by a vote of 196-166, the House adopted an amendment to the Hansen substitute to ban proxy voting outright; and
- an amendment was adopted to the Hansen substitute to give the Select Small Business Committee legislative oversight; this provision was identical to one already contained in H.Res. 988.

Consideration ended on October 8 with the adoption of the Hansen substitute, as amended, by a vote of 203-165. The House had also rejected a compromise package (H.Res. 1321) offered by the Select Committee's Vice Chairman Dave Martin by a vote of 41-319. The House then passed H.Res. 988 as amended by the Hansen substitute by a vote of 359-7.

House Commission on Information and Facilities (Brooks Commission), 94th Congress (1975-1976) “\1 2

Creation, Membership and Funding

Creation

Section 204 of P.L. 93-554 established in the House of Representatives a temporary Commission on Information and Facilities.

In its final report (H. Doc. 95-22) the commission itself noted that it was

...born out of a growing concern among Members of Congress that (a) the scope and complexity of the issues facing Congress may have surpassed the ready availability of the information and analysis required by the Congress to deal effectively with those issues, and (b) the range of legislative, oversight and representational responsibilities undertaken by the Congress, together with the increasing number of staff personnel needed to support its Members, had surpassed the physical capacity of space and facilities.

The law had directed the commission to undertake a complete study of

...the information problems of the House of Representatives against the background of the existing institutions and services available to the House, and to make such recommendations with respect thereto as may be appropriate ... the facilities and space requirements of the Members and committees of the House, including space utilization, parking ... the staff required to provide the House legislative counsel with the capability to fully meet the needs of the members of the House.

When studying the question of the House's information needs, the commission was directed to examine the Congressional Research Service (CRS), the General Accounting Office (GAO), the Office of Technology Assessment (OTA), and the strengths and weaknesses of each; information collection and dissemination in the House; outside information resources; methods of organizing information transfer to and from the executive branch; the possible creation of a staff journal; and experimental or pilot approaches to dealing with information problems.

The commission was directed to make annual progress reports to the Speaker on its work, as well as any interim reports as would be necessary or were requested by the Speaker.

The final report of the commission was to be submitted to the House by January 2, 1977. A set of recommendations dealing with staffing of the House legislative counsel were to be submitted no later than January 1, 1976.

In addition, the FY1976 Legislative Branch Appropriations Act (P.L. 94-59) directed the commission to include in its study an examination of the organizational effectiveness of the legislative branch's support agencies and whether there was duplication among their functions.

The recommendations and pilot programs undertaken by the Brooks commission were an attempt to turn the House of Representatives into a more efficient, modern entity that could keep pace with the considerable demands placed on the institution by its own growth and by the information age. Many of the Brooks commission's recommendations regarding the use of space and facilities were embraced by the House Commission on Administrative Review, also known as the Obey commission, that was operating at the same time. (The work of the Obey commission is discussed later in this report.)

Membership

Under its authorizing legislation, the commission was composed of nine Members of the House, selected by the Speaker, including the House Members on the Joint Committee on Congressional Operations. No more than five Members appointed by the Speaker could be of the same political party.

The panel was chaired by Rep. Jack Brooks (D-TX), and the commission is popularly known as the Brooks commission. Panel members were Robert N. Giaimo (D-CT); James G. O'Hara (D-MI); Don Fuqua (D-FL); Elizabeth Holtzman (D-NY); James C. Cleveland (R-NH); John C. Ashbrook (R-OH); Charles W. Whalen, Jr. (R-OH); and Philip M. Crane (R-IL).

The law also directed the Speaker to establish a six-person advisory council to help the commission carry out its work. The advisory council was to be made up of two members who were representatives of public affairs institutions, two members who had demonstrated ability in office space utilization, and two members of the general public.

Funding

Section 204 of the law authorized all funding needed "... to carry out the purposes of this section" from the contingent fund of the House of Representatives.

Commission Activity and Recommendations

To conduct its work, the commission established a Task Force on Information Resources and a Task Force on Facilities and Space Utilization.

The commission utilized the staff of the Joint Committee on Congressional Operations and also received the assistance from the General Accounting Office, Congressional Research Service, and House Information Systems. The commission also, as specifically authorized by its enabling legislation, made wide use of pilot projects for the production, demonstration, testing, and evaluation of useful products and services.

By the time the Brooks Commission had issued its final report in January, 1977, it had published six information inventories, conducted a comprehensive study of congressional support agencies, started numerous pilot projects designed to test information services, completed an inventory of existing space uses and needs as well as made numerous recommendations about ways to better manage congressional space and growth.

Information

The commission identified the major information problem facing Congress as the massive volume of information that Members and committees receive, both in print and online, and the information's varying levels of quality and usefulness.

In order to improve the quality of information and how it was presented to Congress, the commission undertook several studies and pilot projects. These projects included the publication of detailed guides to the organization of GAO and CRS to make Members aware of the information and services the agencies provided. The commission found little evidence of widespread duplication of efforts at CRS, OTA, and CBO, but made recommendations for better coordination and communication among these agencies. The commission oversaw the publication of an inventory of all information services available to the House from internal sources, from all legislative branch agencies, from the departments and agencies of the executive branch, and from relevant private organizations such as universities and research institutes.

The commission oversaw the permanent installation of a 30-terminal system of computers available to Members and committees that provided access to a legislative status service, Library of Congress databases, and databases at the Departments of Justice and Agriculture. The commission piloted the establishment of a computer-assisted network to continually advise Members and staff on the progress of legislative debate and related activities on the House floor. The commission initiated the construction and testing of a computer system for Members and committees providing information on current and historic data on the federal budget. The commission recommended that Congress undertake a coordinated institutionwide effort to develop and expand the availability of automated information services.

The commission instituted the publication of a monthly staff journal to help keep congressional staff informed on matters affecting the performance of their duties and recommended that publication of this staff journal be made permanent.

Facilities

The commission concluded that the House lacked adequate space for its needs and made poor use of its existing space. The commission concluded that the House had no rational or systematic way to determine space allocations, that space that could be used for Member and committee work was frequently used for storage, that equipment and furniture was bulky and incompatible, and that the physical layout of many Member and committee offices was unplanned or poorly planned. In response to these problems, the commission undertook a comprehensive inventory of space under the control of the House, determined its usage, and categorized each space into one of five categories of importance. The commission proposed a number of reallocations of existing space, including moving the House Document Room to the Longworth Building from the Capitol for the convenience of staff, moving printing functions to House Annex 2 (now

the Ford Building), from the Longworth Building and making additional space available in the Rayburn Building for events and meetings.

The commission implemented a pilot program utilizing space-saving modular furniture in House offices. The commission created a copy and production center to test the idea of freeing up office space by centralizing the production of bulk documents. The commission proposed a plan to redesign the Rayburn Reception Room in the Capitol in order to make it a more useful meeting space for Members.

The commission called for a comprehensive study of the advantages and disadvantages of using the interior courtyard space of the Cannon and Longworth Buildings as sites for the construction of additional office space. The commission also issued a report detailing potential sites for the construction of one or more additional House office buildings.

House Legislative Counsel

The commission found general satisfaction in Congress with the services of the Office of Legislative Counsel, but noted that increased demand had tested the capability of the office to serve its clients.

The commission recommended that the professional staff of the office Legislative Counsel be expanded to no fewer than 40 attorneys from 27 attorneys over a 5-year period.

The commission also recommended that additional office space be provided for the Office of Legislative Counsel.

House Commission on Administrative Review (Obey Commission), 94-95th Congresses (1976-1977)

Creation, Membership, and Funding

Creation

The House on July 1, 1976, voted 380-30 for H.Res. 1368, which established the Commission on Administrative Review.

H.Res. 1368 authorized the commission to make a complete review of the administrative operations of the House of Representatives, including personnel, accounting procedures, and all aspects of the administration of the chamber, including Member allowances and recording-keeping practices.

Earlier in 1976, Rep. Wayne Hays (D-OH) was accused of employing a woman on the staff of the House Administration Committee who did little or no work for congressional pay. Hays, who was chair of the committee, eventually resigned his seat. Concern over revelations involving the chamber's "housekeeping" committee and over accusations of ethical lapses against several Members contributed to the creation of a commission to investigate House administration and ethics issues.¹⁷

¹⁷ "Congress 1976: Spotlight on Ethics," *Congressional Quarterly Almanac*, 1976 (Washington: Congressional Quarterly, 1976), p. 25.

Membership

The 15-member commission was chaired by Rep. David R. Obey (D-WI), and the commission is popularly known as the Obey commission. Other House members were: Melvin Price (D-IL); Lloyd Meeds (D-WA); Lee H. Hamilton (D-IN); Norman E. D'Amours (D-NH); Bill Frenzel (R-MN); William L. Armstrong (R-CO); and Robert E. Bauman (R-MD).

The commission also included public members. The private citizens were: Dr. Ralph K. Huitt, executive director of the National Association of State Universities and Land Grant Colleges; Charles U. Daly, former vice president for Government and Community Affairs at Harvard University; William DuChessi, executive vice president of Amalgamated Clothing and Textile Workers Union; William R. Hamilton, president of William R. Hamilton and Staff Inc.; Robert W. Galvin, chairman of the board and chief executive officer of Motorola Inc.; Roscoe L. Egger Jr., partner and director of the Office of Federal Services for Price Waterhouse Inc.; and Lucy Wilson Benson, former president of the League of Women Voters. Mrs. Benson resigned from the commission upon being sworn in as under secretary of state. She was replaced by Dr. Victoria Schuck, president of Mount Vernon College.

Funding

In its final report (H.Rept. 95-272) the commission said it expected its final cost to be roughly \$814,000, less than the \$1.16 million it had anticipated spending.

Commission Activity and Recommendations

The commission spent more than a year gathering data on a wide variety of aspects of the administration of the House. The commission undertook several surveys of House Members and staff, and it also hired an outside consulting firm to conduct another survey.

The commission divided its work into three parts: the scheduling system for the House; ethics rules to govern House Members; and overhaul of the administrative processes of the House. The commission issued its first report on December 1, 1976. The report (H.Doc. 95-23) contained a list of detailed recommendations for changes in the House scheduling process. With just one change (dropping the proposed increase in the number of Members needed to get a vote in Committee of the Whole), the House, on January 4, 1977 by a vote of 256-142, adopted a resolution (H.Res. 5) which made the commission's recommendations on House scheduling a part of House rules.

On February 7, 1977, the commission issued its second report, on proposed changes in ethics rules. The House adopted the changes recommended in the report (H.Doc. 95-73) when it passed H.Res. 287 by a vote of 402-22, on March 2.

The commission issued its final report in September 1977. But the recommendations in that report (H.Doc. 95-232), were never considered by the House because the House rejected the rule for debate on the administrative changes resolution (H.Res. 766) on October 12 by a vote of 160-252.

House Scheduling

The commission found that the sometimes chaotic and frequently ad hoc House schedule made it more difficult for Members to work effectively. It recommended that House

leaders create a “firm schedule” for the entire year at the start of the session, setting out when Members would need to be in Washington and when the House would be in recess. Such a schedule, the commission said, should be worked out in advance with the leadership of the Senate and the House schedule should reflect the realities of time demands during the budget season. Before May 15, emphasis should be given to the need for committee time and activities; after that date the emphasis should turn to the floor schedule.

The commission recommended that general debate time be cut back. The commission recommended that when the House was dealing with a noncontroversial bill, the House cluster votes so that Members would not have to return to the floor every time a vote was requested. To reduce the number of roll-call votes Members cast on the floor, the commission recommended that 33 Members be needed to ask for a recorded vote during House action while in the Committee of the Whole, an increase from the then-level of 20.

The commission recommended that committees be allowed to meet when the House was debating a measure under the five-minute rule unless 10 Members objected on the House floor; at that time it took unanimous consent of the House for permission to sit. Finally, the commission recommended that all committee scheduling information be entered into an electronic database to help keep scheduling conflicts to a minimum and allow Members to get more information about committee activity.

Ethics Rules

The Obey commission began operation at a time when several Members of Congress had been accused of ethical misconduct. Testifying before the commission, House Speaker Thomas P. “Tip” O’Neill (D-MA) said it was his desire for the House to have “the strongest code of ethics of any legislative body in America.”¹⁸ The commission, in its second report, detailed a new set of financial requirements for Members and key staff to make information about Members more readily available and to clarify for Members what the rules were governing subjects such as outside income.

The commission recommended that Members of Congress, their principal assistants, and professional committee staff be required to file annual financial disclosure statements by April 30 of each year. Income, gifts, reimbursements, stock holdings, debts, securities transactions, and real estate were to be included in the disclosure statements. These financial disclosure statements would become public information under the commission recommendations. The financial disclosure statements would be filed with the clerk of the House, who would then transmit copies to the Committee on Standards of Official Conduct and the appropriate office that oversaw campaigns. They were to be publicly available 30 days after their receipt. Candidates for the House would be subject to the same disclosure requirements as Members. Punishment for “knowing and willful falsification” of the disclosure statements was one year in prison and a fine of up to \$10,000.¹⁹

The commission also recommended that outside earned income for Members of Congress be limited to 15% of their congressional salary; there was no limit on outside income at the time. Honoraria would be limited to \$750 per appearance. A Member could not accept

¹⁸ U.S. Congress, Commission on Administrative Review, *Work of the Commission*, 95th Cong., 1st sess., H.Rept..95-272, vol. 1 (Washington: GPO, 1977), p. 47.

¹⁹ *Ibid.*, p. 53.

a gift worth more than \$100 a year in the aggregate from anyone who had a direct interest in the work before Congress, unless the gift came from a personal friend or relative or each gift was worth less than \$35.

The commission recommended that Members be prohibited from using funds raised at testimonial dinners for personal use. In exchange for an increase in funds provided to Members to run their offices, the commission recommended that the House bar the practice of “unofficial” accounts, which some Members had used to supplement their office expense funds. The commission also recommended barring Members from converting their campaign funds to personal use, something retiring Members had done.

The franking privilege also came under scrutiny. The commission recommended that franking be used only for mass mailings prepared and printed at public expense, be limited to six districtwide mailings a year, be banned 60 days prior to an election in which the Member was a candidate, and prohibited Members who were running a statewide campaign for office from using the frank to send mail outside of their district.

Finally, it recommended travel by “lame-duck” Members should be abolished.

The commission recommended creation of a Select Committee on Ethics, which was to exist until December 31, 1977, to draft appropriate implementing language.

Administrative Proposals

The third report of the Obey commission recommended major changes in the way the House as an institution operated.

The commission recommended creation of a new officer, a House administrator, who would be in charge of most of the House administrative functions, from payment of House bills and preparation of financial reports to maintenance of furniture and equipment, to personnel assistance for Members and operation of the telephone and computer networks. The commission also recommended hiring an auditor to perform regular reviews of House operations.

The commission recommended creation of a Select Committee on Committees to consider committee changes, specifically to reexamine jurisdictional lines drawn between committees. It called for a test period for making the *Congressional Record* better reflect actual House action by marking those speeches not actually delivered on the floor.

The commission included in its report a large section on personnel issues. It echoed recommendations from the 1970 Legislative Reorganization Act when it called for a central, professional office to help recruit staff for Members and committees. It also called for the creation of a grievance panel to hear discrimination complaints from administrative staffers and a fair employment practices panel to be composed of sitting Members who would review staff grievances from Members’ offices and committee staff. The commission recommended that the House draw up policies on maternity leave and short- and long-term disability policy.

Finally, the commission issued a series of recommendations on handling the issue of office space, most of which were based on the work of the Brooks commission, discussed earlier in this report.

House Select Committee on Committees (Patterson Committee), 96th Congress (1979-1980)

Creation, Membership, and Funding

Creation

On March 20, 1979, the House adopted H.Res. 118 by a vote of 208-200, establishing the Select Committee on Committees.

The select committee was charged with studying committee structure, jurisdiction, staffing, rules and procedures, and facilities and media coverage. Its final report was due February 1, 1980, though it was later granted an extension until April 1, 1980. Any recommendations made by the committee were to go to the Democratic Caucus and Republican Conference rather than to the House floor.

One reason for the creation of the committee was the proliferation of subcommittees. For example, by the late 1970s, “the House found itself with the astonishing total of more than 83 committees and subcommittees claiming some jurisdiction over energy,” a topic that had become a high-profile issue with the oils shocks of the 1970s and the advent of the Carter Administration’s energy plan.²⁰

Membership

The select committee was chaired by Rep. Jerry Patterson (D-CA), and the committee is popularly know as the Patterson committee. Other members on the 15-member panel were: William Clay (D-MO); Mike McCormack (D-WA); John B. Breaux (D-LA); Patricia Schroeder (D-CO); Bob Traxler (D-MI); Butler Derrick (D-SC); Joseph L. Fisher (D-VA); Peter H. Kostmayer (D-PA); Charles Whitley (D-NC); James C. Cleveland (R-NH); Frank Horton (R-NY); Bill Frenzel (R-MN); James Leach (R-IA); and Gerald B.H. Solomon (R-NY).

Funding

The committee spent approximately \$800,000.²¹

Commission Activity and Recommendations

The select committee met for more than a year to develop a set of recommended changes to House committee jurisdictions and other topics. Of the five recommendations the committee made, only one was considered on the House floor.

The committee recommended that the House create a new Energy Committee, which would take its jurisdiction from the Commerce, Interior, and Public Works Committees. The House did not approve this plan. On March 25, 1979, it voted 274-134 to reaffirm the Commerce Committee’s central role in energy policy. The House then agreed to change the name of the Commerce Committee to the Energy and Commerce Committee

²⁰ “Inside Congress,” in *Congress and the Nation*, vol. 4, (Washington: Congressional Quarterly, 1981), p. 876.

²¹ “Congress and Government,” *Congressional Quarterly Almanac, 1980*, (Washington: Congressional Quarterly), p. 562.

and to designate the panel as the lead committee on energy policy beginning in the 97th Congress.

The second of the select committee's recommendations was a plan where specific committees would have specific days of the week on which to do their work. The plan was designed to reduce scheduling conflicts for Members. Although the plan was approved by the Rules Committee, it was never considered by the House.

A third recommendation of the committee was that each House Member be limited to service on five subcommittees. Fourth, it also recommended that each committee (except for Appropriations) be limited to six subcommittees and called for a 3-year phase out of some 28 subcommittees in excess of that limitation. Although the plan won the endorsement of the Republican Conference, it was not acted on by the Democratic Caucus.

Finally, the committee recommended a new way for the Speaker to refer bills that might be within the jurisdiction of more than one committee. A primary committee would be designated for all jointly referred bills. All secondary committees would have a limited and specific time in which to consider the bill. Sequential referrals would also be permitted when a committee added an amendment to a bill during markup that crossed into another committee's jurisdiction. This recommendation was not considered.

Joint Committee on the Organization of Congress, 102nd and 103rd Congresses (1991-1994)

Creation, Membership, and Funding

Creation

The bipartisan and bicameral Joint Committee on the Organization of Congress (JCOC) was created on August 6, 1992, with the passage of H.Con.Res. 192. The JCOC was modeled after the congressional reform committees of the same name established in 1945 and 1965, and was intended to address growing concern both inside and outside of Congress over the effectiveness and public perception of the institution.

Rep. Lee H. Hamilton (D-IN), Rep. Bill Gradison (R-OH), Sen. David L. Boren (D-OK), and Sen. Pete V. Domenici (R-NM) jointly introduced H.Con.Res. 192 and S. Con. Res. 57 in their respective chambers on July 31, 1991, to create the Joint Committee on the Organization of Congress.

There was a sense among some Members that the issues facing Congress had changed considerably over a period of years, but the internal structures of the institution had not kept pace. Many Members expressed increasing frustration with the workings of Congress and a record number of Members chose to retire in the 102nd Congress, many citing this frustration as a contributing factor in their decision. Additionally, Congress was beset by a string of high-profile scandals that hurt Congress in the eyes of public opinion, beginning in 1989 with the resignation of House Speaker Jim Wright, followed in 1990 and 1991 by allegations that several Senators had improperly influenced federal regulators on behalf of campaign contributor Charles Keating.

The legislation to create the JCOC received little response when it was introduced in July 1991, but the proposal picked up steam as additional scandals relating to management

problems at the House bank and the House post office received widespread media attention and led to the resignation of the House sergeant at arms and the House postmaster. Against this backdrop, the public's already skeptical attitude about Congress deteriorated and public disapproval ratings of Congress hit an all-time high of 77% in the summer of 1992.

H.Con.Res. 192 was approved on June 18, 1992, by a vote of 412-4 in the House, and unanimously, after one amendment, by the Senate on July 30. The Senate amendment barred the joint committee from conducting business prior to November 15, 1992, to keep the joint committee free from potential pressures of election-year politics. The House concurred on August 6, in the Senate's amendment.

H.Con.Res. 192 directed the joint committee, before December 31, 1993, to "make a full and complete study of the organization and operation of the Congress and to recommend improvements which would strengthen the effectiveness of the Congress, simplify its operations, improve its relationships with and oversight of other branches of the United States Government, and improve the orderly consideration of legislation." This broad mandate echoed that of the 1946 and 1965 reform committees.

The resolution specifically directed the joint committee to issue a study that included an examination of, " ... the organization and operation of each House of the Congress, and the structure of, and the relationships between, the various standing, special, and select committees of the Congress, the relationship between the two Houses of Congress, the relationship between the Congress and the executive branch of the Government, the resources and working tools available to the legislative branch as compared to those available to the executive branch; and the responsibilities of the leadership, their ability to fulfill those responsibilities, and how that relates to the ability of the Senate and the House of Representatives to perform their legislative functions."

Membership

The JCOC consisted of 28 members, 14 from each chamber equally divided between Democrats and Republicans. That number included the majority and minority leaders of the House and Senate, who served as *ex officio*, voting members of the joint committee. The joint committee was made up of two subcommittees, one on the Senate and one on the House. Membership on the joint committee was determined by each chamber's party leaders.

Under its enabling legislation, no recommendation could be made by the joint committee except upon a majority vote of the Members representing each house, respectively. Any recommendation regarding the rules and procedures of one house could only be made and voted on by the members of the committee from that body. The committee did not have the authority to report legislation.

Sen. David Boren and Rep. Lee Hamilton were appointed co-chairs of the Joint Committee on the Organization of Congress, and Sen. Domenici and Rep. Gradison were named vice chairs. Committee member Rep. David Dreier (R-CA) was appointed to assume the duties of House vice chair when Rep. Gradison resigned from the House on January 31, 1993. Rep. Jennifer Dunn (R-WA) was then appointed to fill the open seat.

Other House Members on the joint committee were: Sam Gejdenson (D-CT); Eleanor Holmes Norton (D-DC); David Obey (D-WI); John M. Spratt, Jr. (D-SC) and Al Swift

(D-WA); Wayne Allard (R-CO); Bill Emerson (R-MO); Gerald B.H. Solomon (R-NY); and Robert S. Walker (R-PA).

Other Senators on the committee were: Wendell H. Ford (D-KY); David Pryor (D-AR); Harry Reid (D-NV); Paul S. Sarbanes (D-MD); Jim Sasser (D-TN); William S. Cohen (R-ME); Nancy L. Kassebaum (R-KS); Trent Lott (R-MS); Richard D. Lugar (R-IN); and Ted Stevens (R-AK).

Funding

H.Con.Res. 192 authorized funding from the House for half of the expenses of the joint commission, the other half to be paid by the Senate. H. Con. Res 192 permitted the House to spend up to \$250,000 in the 102nd Congress for this purpose. The committee funding resolution for the 103rd Congress, H.Res. 107, authorized additional funds from the House for the operations of the joint committee in that Congress, stating, “there shall be paid out of the contingent fund of the House not more than \$495,000 for one-half of the expenses of investigations and studies by the Joint Committee on the Organization of the Congress....” The legislation also stipulated that not more than \$50,000 of that amount could “... be used for consultant services ...”

Committee Activity and Recommendations

The Joint Committee on the Organization of Congress conducted an extensive information-gathering and policy-analysis process. It held 6 months of hearings (from January to July 1993) and organized four symposiums on specific organizational topics (the committee system, staffing, the budget process, and legislative-executive relations) of interest to panel members.

The committee held 36 hearings, taking testimony from 243 witnesses – 133 House Members, 37 Senators, 14 former Members, 15 current and former staff members, and 44 outside experts. In addition, the JCOC conducted a two-day retreat in June 1993 at the U.S. Naval Academy to discuss reform options.

The joint committee organized the most extensive set of opinion surveys of Members and congressional staff ever undertaken by a bicameral reorganization committee. The committee’s hearings were televised on C-SPAN and rebroadcast frequently. In addition, the co-chairs and vice chairs sent a letter and op-ed piece to 1,600 daily newspaper editors asking them to let their readers know the joint committee was interested in their views on congressional reform. The joint committee subsequently received more than 1,000 letters from citizens written either in response to the op-ed or to the televised hearings. The committee expired on December 31, 1993, consistent with its enabling legislation, after issuing a report in four parts making recommendations on ways to reform Congress.

House and Senate Members introduced separate legislation on February 3, 1994, embodying the recommendations of the JCOC. These packages became known as the Legislative Reorganization Act of 1994 (H.R. 3801 and S. 1824, respectively). Attempts were made to pass this legislation, but failed. In the end, only one recommendation of the JCOC, relating to the application of laws to Congress, was adopted in a scaled-back form by the House.

While few of the recommendations of the JCOC were adopted at the time, its list of suggested reforms reads like a description of the structure and workings of the

contemporary House of Representatives. Large portions of the JCOC recommendations, including provisions relating to the application of laws, increased reporting for purposes of oversight, committee jurisdictional consolidation, scheduling change, recodification of the House Rules, and certain information technology reforms were subsequently adopted by the Republican majority in the House of Representatives in 1995.

Recommendations: House of Representatives

Ethics Process

The House subcommittee of the joint committee recommended that the Committee on Standards of Official Conduct be allowed to use a panel of four or six private citizens as fact finders in the place of Members. The independent fact finders would be chosen by the Standards Committee chair and ranking minority member from a pool of 20 private citizens. The pool itself would be selected jointly by the Speaker and the minority leader at the beginning of every Congress. These independent fact finders would investigate complaints against Members and report to the full committee whether a formal charge should be made. If a formal charge was filed, the full Standards Committee would act as an “adjudicatory” panel to hear the evidence and determine if the charge had been proven.

Application of Laws

The House subcommittee recommended creating a joint office of compliance run by a director and an eight-member board appointed by the Speaker, the Senate majority leader, and the minority leaders of both chambers. The office director would review federal employee and workplace protection laws and propose regulations to specify how these provisions could be applied to congressional employees. Congress could then approve the regulations by concurrent resolution.

Under the JCOC recommendations, the laws that already applied to Congress would continue to apply, but the institution’s enforcement mechanisms would be improved to make them more like those used in the executive branch and the private sector. The office of compliance would use a four-step procedure for considering alleged violations, consisting of counseling, mediation, formal complaint and administrative hearing, and federal appellate judicial review.

The Budget Process

The House subcommittee recommended moving to a 2-year budget cycle. Under such a system, the budget resolution and appropriations bills would be considered during the first year. Multi-year authorizations and oversight activities would take place in the second year. By not having to pass a new budget every year, the subcommittee argued, committees would have more time to review how laws are working, and the executive branch would operate under a more stable budget environment.

During the second year, the Budget Committee would focus on long-term planning by holding hearings on problem areas identified by oversight activities and issuing a report to the Speaker identifying the key budget issues facing Congress in the next 2-year cycle.

The President’s economic report would be required to include an analysis describing broad policy objectives for the economy and language projecting how those policies

would affect the Gross National Product. The President also would be required to submit separate policy reports laying out his long-term fiscal policy goals, 10-year budget projections, relevant comparisons between U.S. fiscal policies and those of international competitors, and performance indicators to be used by Congress to assess program effectiveness.

In addition, standing committees of the House would be required to prepare an oversight agenda at the beginning of each Congress and a report at the conclusion of that Congress specifying how the agenda was fulfilled. These reports would be available to the Committee on House Administration for use when considering committee funding.

The House subcommittee also suggested a number of additional reporting requirements intended to provide more information about congressional actions:

- budget resolutions would be required to include a statement on the total tax revenue uncollected due to special provisions in the tax code;
- reports accompanying appropriations bills would have to list provisions earmarking funds below the appropriations account level;
- reports accompanying authorization bills would be required to list provisions that earmark funds below the appropriations account level;
- reports accompanying bills that authorize tax expenditures would be required to list all such tax expenditures;
- points of order against appropriations higher than the House-passed authorization level would be allowed;
- the Congressional Budget Office would conduct a study of all federal user fees and the effects of inflation on those fees since they were last adjusted;
- the Congressional Budget Office would also have to file quarterly reports comparing revenues, expenditures, and the deficit for the current fiscal year with the assumptions used in the concurrent budget resolution; and
- the President would have to establish targets for entitlement spending and identify what actions he would recommend when such a target was exceeded.

The Committee System

The House subcommittee stressed the need to reduce the number of committees and committee assignments. Specifically, it suggested that Members of the House be limited to no more than two standing committees and four subcommittees, with certain limited exceptions.

Any resolution from the party caucus or conference that violated this limit would not be privileged under the rules of the House. To waive those limits, a Member would first have to receive approval from his or her party caucus. If approval was given, the Member would then have to notify the House of his or her intent to seek a waiver. After a 48-hour layover, the waiver could be considered by the full House. Such waivers would have to be considered individually by the House. Subcommittee assignment limitations were to be enforced through a similar process.

If, because of these new assignment limits, membership on a committee fell below half of its level during the 103d Congress, the Committee on Rules would consider a resolution

to abolish that committee and transfer its jurisdiction. The Rules Committee could also recommend the creation of new committees in response to new or emerging issues.

No exclusive or major committee, except the Committee on Appropriations, would have more than five subcommittees. No non-major committee could have more than four subcommittees. To reduce inter-committee jurisdictional disputes, the Speaker would be encouraged to designate a “primary” committee of jurisdiction when making multiple referrals of legislation and to impose time or subject-matter restrictions on the other committees of referral after the committee of primary jurisdiction reported the matter.

The Committee on Appropriations would be required to notify the appropriate committees of jurisdiction whenever it reported a measure that contained funding for unauthorized appropriations or legislative provisions. Likewise, authorizing committees would be required to notify the Committee on Appropriations whenever any reported measure contained appropriations.

Due to the complexity of the issues considered, the term of service permitted on the Intelligence Committee would be extended to 8 years and the term of the chair to 4 years.

Subcommittees would be prohibited from meeting when the full committee was in session unless the subcommittee had the written authorization of the full committee chair. In addition, one week’s advance notice of all committee and subcommittee meetings and hearings would be required unless such notice proved to be impracticable.

Committee reports would be required to include all roll-call votes on motions to report—or a record of those present in the event of a voice vote. Committees would have to publish their attendance and voting records at least twice a year in the *Congressional Record*.

Floor Procedure and Scheduling

The House subcommittee recommended that the minority party, through the minority leader or a designee, be guaranteed the right to propose an alternative to all bills considered on the floor of the House through a motion to recommit with instructions.

The recommendations expressed the sense of the House that the chamber’s schedule should provide for:

- a four-day legislative week;
- specific and exclusive periods during which only floor proceedings or only committee sessions could be held;
- minimization of scheduling conflicts between and among committees and subcommittees; and
- encouragement of an enhanced use of a computerized scheduling system.

The JCOC argued that the institution’s accountability and credibility would improve if the *Congressional Record* were required to be a substantially verbatim transcript of the proceedings of the House.

The parliamentarian of the House would be directed to prepare a recodification of the rules of the House to eliminate inconsistencies and outdated language.

Debate in the House would permit references by Members to certain actions taken by the Senate or by committees of the Senate, which were a matter of public record.

Staffing and Support Agencies

The House subcommittee recommended that the Speaker appoint a task force to issue recommendations on achieving cost savings in the legislative branch consistent with reductions implemented by the executive branch under the National Performance Review.

Congressional support entities would also be periodically reviewed to improve accountability and to identify ways to make these entities more effective, and to eliminate duplication. Reauthorization of the Congressional Budget Office, the Congressional Research Service, the General Accounting Office, the Office of Technology Assessment (abolished in 1995), and the Government Printing Office would be staggered every 8 years beginning in fiscal year 1997.

The Committee on House Administration was directed to review and evaluate current staff training and orientation programs with the goal of creating programs that enhance the professional development of congressional employees. The House subcommittee recommended a sense of the House resolution that the appropriate committees of the House and the Senate undertake a study of personal, committee, and administrative staff salaries and take steps to achieve a greater degree of parity between the chambers for staff who perform similar jobs.

Legislative—Executive Relations

The House subcommittee recommended that all House standing committees be required to prepare an oversight agenda at the beginning of each Congress that ensured the periodic review of all significant laws, agencies, and programs under their jurisdiction. Committees were to submit their oversight agendas to the Committee on House Administration for consideration during the committee funding process. House Administration would publish these agendas along with any recommendations it might have for assuring the effective coordination of committees' oversight activities.

Additionally, committees would be required to conduct hearings each Congress on reports relating to executive branch activities, such as reports of inspectors general. The Speaker would also be granted explicit authority to appoint special ad hoc oversight committees.

Under the House subcommittee's recommendations, the appropriate committees of the House and the Senate would be directed to eliminate nonessential reporting requirements by executive branch agencies and to sunset all such reports within 5 years unless a report was explicitly reauthorized.

Information Technology

The Joint Committee on the Library and the Joint Committee on Printing would be abolished and most of their functions transferred to a proposed Joint Committee on Information Management. This new entity would coordinate information management for Congress, establish standards and policies for information technology in Congress, and ensure public dissemination of executive branch information.

The House subcommittee also recommended a sense of the House resolution that legislative information be more readily available and more widely disseminated to Members and the public. Committee and conference reports would be filed on computer

disk to make them more accessible. Specified legislative information would be made available by computer to the public and federal depository libraries.

Bills, committee reports, conference reports, and amendments would be available for review at least 24 hours before consideration.

Legislative documents would be accessible on computer to all congressional offices and through public databases.

The in-house cable system would also be expanded to provide all committee hearing rooms and party cloakrooms with summaries of pending legislation.

Public Understanding of Congress

The House subcommittee expressed a sense of the House that Congress:

- should experiment with alternative debate forms on the floor, such as: Oxford Union style debates;
- support ongoing initiatives to raise private funds to create a congressional education center;
- develop a central telephone line for information on the congressional agenda;
- encourage civic education programs; and
- enhance orientation programs for journalists covering Congress.

Recommendations: Senate

The Budget Process

The Senate subcommittee made the same recommendations regarding a 2-year budget cycle as the House did. The Senate subcommittee also included a provision similar to the House subcommittee's recommendation that would require the Congressional Budget Office to prepare quarterly reports comparing revenues, spending, and the deficit for the current fiscal year with assumptions in the budget resolution. The Senate went on to clarify that the so-called Byrd rule would be permanent and would require a 3/5^{ths} vote of all Senators to waive.

The Committee System

Under the JCOC recommendations, four categories of committees would be established under Senate Rules—"Super A," "A," "B," and "C." Under the Senate subcommittee's recommendations, each Senator would be limited to two "A" committee assignments: either one "Super A" committee (Armed Services, Appropriations, Finance, or Foreign Relations) and one "A" committee (Agriculture, Banking, Commerce, Energy, Environment, Governmental Affairs, Judiciary, or Labor); or two "A" Committees and one "B" committee (Aging, Budget, Indian Affairs, Rules, Small Business, or Veterans Affairs). Assignments to the Ethics and Intelligence Committees would not count against these committee assignment limits.

In addition, "Super A" and "A" committees, except the Appropriations Committee, could have only three subcommittees. "B" committees could only have two subcommittees.

Senators could belong to two subcommittees per “A” committee, except Appropriations, and one subcommittee per “B” committee.

Similar to the House proposal, Senators could receive a waiver of these limits only after obtaining the permission of their party caucus and after a recorded vote of the full Senate. The subcommittee proposed that the majority leader and minority leader should assign Senators of their respective parties to committees.

If restrictions on committee membership caused a committee to fall below half its current size, the Senate would have to vote on whether the committee should be abolished.

The Senate subcommittee also recommended changes to Senate meeting days. “Super A” committees could meet only on Tuesdays, “A” committees on Wednesdays, and “B” committees on Thursdays. The Appropriations Committee, Budget Committee, and “C” Committees were exempted from these meeting restrictions.

Proxies could not be used in committee if they would affect the outcome of a vote.

As in the House subcommittee’s recommendations, records of Senate committee attendance and voting would be published twice yearly in the *Congressional Record*.

All Senate and House joint committees – Economic, Library, Organization of Congress, Printing, and Taxation—would be abolished.

Floor Procedure and Scheduling

The Senate subcommittee recommended that a motion to proceed to consider a bill could no longer be filibustered. After cloture was invoked, it would take a three-fifths vote to overturn a ruling of the chair, and time for a quorum call would count against the Member who called for it.

The subcommittee suggested dispensing with the reading of conference reports available one day prior to consideration. It also suggested that amendments expressing the sense of the Congress or Senate require the cosponsorship of at least 10 Senators.

Staffing and Support Agencies

The Senate subcommittee proposed that the Senate cut its staff levels in proportion to those proposed by the executive branch in its National Performance Review – approximately 12% over 5 years.

In addition, Congress would have to reimburse the executive branch and other agencies such as the General Accounting Office for expenses of staff detailed to the Senate.

Unused funds from office or committee accounts would not be available for reprogramming. The secretary of the Senate would be directed to publish in the *Congressional Record* an annual list of those offices using less than the amount their office was budgeted for personnel.

Legislative—Executive Relations

The Senate subcommittee made comparable suggestions to those made by the House. In addition, the Senate subcommittee recommended that, during the second session of Congress, the GAO give priority to congressional requests for audits and evaluations of executive branch programs.

Information Technology

As noted above, all Senate and House joint committees – Economic, Library, Organization of Congress, Printing, and Taxation—would be abolished.

The Senate subcommittee also made numerous specific suggestions relating to improving the efficiency of the printing of congressional and government documents.

Several items were deferred to leadership task forces.

House and Senate Action

House and Senate Members introduced separate legislation on February 3, 1994, embodying the recommendations of the JCOC. These packages became known as the Legislative Reorganization Act of 1994 (H.R. 3801 and S. 1824, respectively).

H.R. 3801 was referred to the House Committees on Rules, House Administration, and Government Operations. The 103rd Congress adjourned without considering H.R. 3801. However, the House did act on legislation embodying that portion of H.R. 3801 that would apply several worker safety and employment laws to Congress. On August 10, 1994, the House passed H.R. 4822, the Congressional Accountability Act, by a vote of 427- 4. The Senate did not act on the legislation. In the final days of the Congress, the House enacted H.Res. 578, legislation that amended the House rules in a manner similar, but not identical, to H.R. 4822. The main difference between H.R. 4822 and H.Res. 578 was that the resolution did not allow for judicial review of employee complaints.

S. 1824 was referred to the Senate Committee on Rules and Administration. After a series of hearings, the committee conducted a markup and reported out S. 1824, as amended, and two reform resolutions, one dealing with committees and one dealing with floor procedure. The Senate sponsors of S. 1824 subsequently made an unsuccessful attempt to attach an amendment embodying its provisions to the District of Columbia appropriations bill; however, this effort was stopped by a point of order. The 103rd Congress adjourned without further consideration of the Senate bills.

Republican Control, 104th Congress (1995-1996)

In 1995, Republicans gained the majority in both chambers for the first time in 40 years. In many respects, the reforms adopted by the 104th Congress grew out of previous Republican and congressional efforts to enact committee system and other changes. Many of the reform items had been included in substitute amendments offered by the Republicans to successive new Congress's rules packages drafted by the Democrats.

House Committee System

Following the election, Speaker-designate Newt Gingrich reportedly contacted Representative David Dreier, the vice-chair of the JCOC and a leader on congressional reform, and told him and other members of the Republican transition team to identify a reform agenda.²² Soon thereafter, four prospective committee restructuring plans were submitted to the Republican leadership:

²² Wolf, Richard and William Welch, "GOP Puts its House in Order," *USA Today*, Nov. 17, 1994, p. 11A.

- Option 1 was the most incremental plan, abolishing the District of Columbia Committee and Post Office and Civil Service Committee and merging them with the Government Operations Committee to form a new Committee on Reform and Government Oversight. In addition, the Merchant Marine and Fisheries Committee would be abolished and its jurisdiction divided among three committees, and the Committee on Standards of Official Conduct and House Administration Committee would be merged into a new panel on Ethics and Administration.
- Option 2 was a stronger version of Option 1. In addition to the committee changes envisioned by Option 1, jurisdictional transfers dealing with railroads, securities, nutrition, and welfare policy would be implemented.
- Option 3 was a more extensive plan than Option 4. In addition to abolishing all the committees envisioned in Option 1, it also abolished the Small Business Committee and envisioned extensive realignment of jurisdictions.
- Option 4, the plan preferred by Representative Dreier,²³ envisioned extensive changes to the committee system. Health issues would be consolidated in a Committee on Commerce and Health, with jurisdiction over energy, transportation, and the environment transferred out of the Committee on Energy and Commerce. An Empowerment Committee would consolidate jurisdiction over welfare. Environmental issues would be consolidated in a panel with public lands and other natural resources issues. Financial services issues would be consolidated in the Banking Committee.

The Republican leadership elected to go with a reorganization based on a modification of Option 1. The plan included:

- elimination of the District of Columbia Committee and the Post Office and Civil Service Committee, and transfer of their jurisdiction to the Government Reform Committee (to be called Government Reform and Oversight);
- abolition of the Merchant Marine and Fisheries Committee and redistribution of its jurisdiction among the Armed Services Committee (renamed National Security), which gained the merchant marine; the Transportation and Infrastructure Committee which gained jurisdiction over the Coast Guard; and the Resources Committee, which gained jurisdiction over fisheries and endangered species; and
- reallocation of some issues from the Energy and Commerce Committee to numerous other committees; specifically, primary jurisdiction over the Glass-Steagall Act was given to the Financial Services Committee; jurisdiction over railroads was transferred from the Energy and Commerce Committee to the Transportation and Infrastructure Committee; and jurisdiction over the Trans-Alaska pipeline to the Resources Committee.

²³ Evans, C. Lawrence and Walter J. Oleszek, *Congress Under Fire* (Boston: Houghton-Mifflin Co., 1997), p. 95.

In addition to jurisdictional changes, the House made several other modifications affecting the committee system:

- House rules were amended to impose a three-term limit on committee and subcommittee chairs and a four-term limit on the Speaker;²⁴
- joint referrals were abolished; the Speaker was authorized to designate a “primary” committee of referral;
- proxy voting was abolished;
- Members were limited to service on two standing committees and four subcommittees;
- committee reports were required to include the votes cast for and against, and the names of members voting for and against, amendments in markup and the motion to report;
- committees were limited in the number of subcommittees they could create;
- committee and subcommittee chairs could designate a vice chair without consideration of a Member’s committee or subcommittee seniority;
- committees were required to prepare oversight agendas and an end-of-Congress report summarizing actions taken; and
- committee staff was reduced by one-third.

In addition, Republican Conference rules were changed to:

- increase the influence of the leadership over committee assignments;
- limit Members to only one full or one subcommittee chair;
- allow full committee chairs to appoint subcommittee chairs;
- abolish independent subcommittee staff; and
- allow the Republican leader to appoint House Administration Committee members.

Administrative Proposals

A chief administrative officer (CAO) of the House was established, taking over most of the duties previously performed by the director of non-legislative and financial services. Under rules adopted late in the 102nd Congress, the director of non-legislative and financial services was a nonpartisan appointee named by the Speaker upon the joint recommendation of the majority and minority party leaders. The director was to assume responsibility for administrative functions transferred to the director’s control by order of the former Committee on House Administration, renamed in the 104th Congress the Committee on House Oversight.²⁵ At the time the director’s post was created, the House also abolished the Office of House Postmaster and transferred all responsibility for congressional mail service to the director.

The House abolished the separate office of doorkeeper and merged its functions into those of the sergeant at arms. More than a dozen staff in the doorkeeper’s office were

²⁴ The Speaker’s term limit was abolished in the 108th Congress.

²⁵ House Oversight was again renamed House Administration in the 106th Congress.

discharged after the sergeant at arms completed an evaluation of House security needs in the consolidated office.

Pending appointment of a new House historian in the 104th Congress, the clerk of the House and the Committee on House Oversight agreed to reorganize certain information functions within the clerk's office. A new unit, the Legislative Resource Center, was established, combining the historian's office, the House Document Room, the House Library, and the Office of Registration and Records, in which financial and lobbying disclosure reports were filed.

The first public law enacted by the 104th Congress ended long-standing exemptions for Congress and its employees from standards applicable to workers and businesses in the private sector. In all, the Congressional Accountability Act of 1995 (P.L. 104-1) applied provisions of 11 major labor laws to Congress and its employees for the first time. The House had agreed by resolution in the 103rd Congress to be bound by such laws, but that action was not permanent and provided congressional employees with only limited rights to pursue violations of workplace protections.

All House officers were required to report semiannually to the House Oversight Committee on the financial operations of their offices, the performance of statutory functions, and the development or implementation of new performance plans. The Committee on House Oversight acquired jurisdiction over franking and congressional mail regulations from the Post Office and Civil Service Committee, which was abolished.

New regulations issued by the Committee on House Oversight banned informal Member groups from obtaining their own office space. All activities of an informal group were to be conducted out of the personal office of a sponsoring Member. Furthermore, Members were to defray group costs from their official funds by employing group staff on their personal payrolls and paying group-related expenses from their official expense allowances.

Until the 104th Congress, House Members were authorized three separate accounts through which to defray their Washington and district offices' operating expenses. The "clerk hire allowance" provided funds to employ up to 18 full-time staff and up to four staff not employed on a permanent or full-time basis. The "official expense allowance" was provided to Members to defray the cost of renting, equipping, and operating offices in Washington and their districts and the cost of their travel and that of their staffs on official business. Mail costs were covered by an "official mail allowance." Members could transfer only a limited amount of money from one allowance to another; for example, up to \$75,000 could be transferred from a Member's clerk hire account to the official expenses account, or vice versa.

Effective with the beginning of FY1996, the three separate allowances were consolidated into one account. Members were given more discretion in the allocation of their personnel and expense funds, with the stipulation that no Member could employ more than 18 full-time and four less-than-full-time staff. The total allocation and expenditures for each Member, including official mail costs, were to be made public quarterly. Necessary conforming changes in statute were made later by P.L. 104-186 (110 Stat. 1718, August 20, 1996), the House of Representatives Administrative Reform Technical Corrections Act. The House Oversight Committee issued a revised and simplified *Members' Congressional Handbook* explaining the new allowance regulations.

Postal Operations. In the 102nd Congress, the House abolished the Office of House Postmaster and transferred responsibility for House mail operations to the then director of

non-legislative and financial services. In the 104th Congress, all external House mail operations were transferred under contract to the U.S. Postal Service, with internal mail services provided under contract by Pitney-Bowes Corp.

Restaurant Operations. In the 104th Congress, all House food services, including Member dining rooms, catering services, cafeterias, and snack bars, were provided under contract to the House by Marriott Corp.

Personal Services. The barber and beauty shops had been operated on a partially self-supporting basis. In the 104th Congress, the House converted the shops into businesses operated by private contractors and expanded services by opening a shoeshine stand in the Cannon Building basement, also operated by a private contractor.

Printing Services. For many years, the House appointed and paid from appropriated funds majority and minority “printing clerks,” who supervised the preparation of mass mailings, newsletters, and other specialized printing services for Members, and the work of staff in the “folding rooms.” The House no longer provides these services and Members must now pay private firms from Members’ official expense allowances any costs associated with the preparation of mass mailings and newsletters.

Floor Procedures

In addition to committee and administrative changes, the new majority modified floor procedures in the resolution adopting the rules for the 104th Congress, H.Res. 6.

Approving Tax Legislation. In Section 106, H.Res. 6 required a three-fifths vote to approve certain changes in tax law. Specifically, a three-fifths vote (of the Members voting, a quorum being present) was required to pass a bill or joint resolution or agree to an amendment or conference report “carrying a Federal income tax rate increase.”

Retroactive Tax Increases. The resolution prohibited any bill, joint resolution, amendment, or conference report from including a “retroactive Federal income tax rate increase.” The resolution defined an income tax rate increase as being retroactive if it applied to any period of time “beginning prior to the enactment of the provision.”

District of Columbia Business. The resolution abolished the Committee on the District of Columbia and transferred its jurisdiction to the newly renamed Committee on Government Reform and Oversight. In Section 202(d) of H. Res 6, the resolution made a conforming change to make floor consideration of measures relating to the District privileged on certain days if reported by the committee of jurisdiction. The rules change replaced the reference in this clause to the District of Columbia Committee with the name of its successor.

Motions to Recommit. Section 210 assured the right of the minority to offer a motion to recommit a bill to committee, with instructions that the committee report the bill back to the House immediately with an amendment incorporated in the motion. The rule had provided for a recommittal motion, but it had not explicitly stated that the motion could include instructions containing an amendment. Section 210 amended the clause to protect such a motion if it was offered by the minority leader or a designee.

Delegate Voting in Committee of the Whole. Section 212 of the resolution prohibited Delegates and the Resident Commissioner from voting in the Committee of the Whole. The rules of the 103rd Congress had permitted them for the first time to vote in the

Committee of the Whole, subject to re-votes in the House in cases in which their votes might have been decisive.

Automatic Roll-Call Votes. Section 214 required a roll-call vote on final passage or adoption of any bill, joint resolution, or conference report “making general appropriations or increasing Federal income tax rates,” and on final approval of any concurrent budget resolution or the conference report on a budget resolution.

Limitation Amendments to Appropriations Bills. An existing rule bestowed precedence to a motion that the Committee of the Whole rise and report after disposing of all amendments affecting the funding provisions of a general appropriations bill. If adopted, such a motion precluded consideration of one or more limitation amendments. Section 215(a) of H.Res. 6 gave such a motion precedence only if offered by the majority leader or a designee.

Amendments Making Offsetting Appropriations Changes. In Section 215(c), Members were permitted to offer en bloc a pair of amendments to a general appropriations bill if the only effect of the amendments was to transfer amounts of money from one place in the bill to another “without increasing the levels of budget authority or outlays in the bill.” Without this provision, it often was not in order for a Representative to offer amendments to move funds from one paragraph or title to another.

Reserving Points of Order. Also with regard to general appropriations bills, Section 215(e) provided for all points of order to be considered as reserved when a general appropriations bill was reported. Previously, it had been necessary for a Member to rise on the floor and reserve all points of order against each general appropriations bill at the time it was reported back to the House from the Appropriations Committee.

Ban on Commemoratives. Section 216 banned the introduction and consideration of commemoratives, defined as measures or amendments providing for “any remembrance, celebration, or recognition for any purpose through the designation of a specified period of time.”

Numbering Printed Amendments. Section 217 provided for amendments to be numbered when submitted for printing in the *Congressional Record* before being offered on the floor. This amendment was intended to make it more convenient to identify such amendments, for example, in a special rule that permitted only certain identified amendments to be offered to a bill on the floor.

Pledge of Allegiance. Section 218 incorporated the Pledge of Allegiance into the daily order of business, to follow the approval of the *Journal of the House of Representatives of the United States (The Journal)*. This amendment to the rules codified a practice that the House had followed since 1988.

Signatures on Discharge Petitions. Section 219 provided for publication of, and other means of public access to, the names of Members who signed discharge petitions. Before the 103rd Congress, the names of signatories were not made public unless and until the required 218 Members had signed a petition. During the 103rd Congress, the House amended its rules to provide for public disclosure of discharge petition signatures. The purpose of Section 219 was to clarify and specify how such disclosure was to take place.

Previous Question Votes. Two provisions of Section 223 expanded the authority of the Speaker to postpone votes on ordering the previous question and to reduce to five minutes the time for votes that immediately followed votes on ordering the previous question. Previously, the Speaker’s authority under both clauses had applied only to

instances in which there was to be a roll-call vote on ordering the previous question on a special rule that the Rules Committee had reported.

House Select Committee on Homeland Security, 108th Congress (2003-2004)

Creation, Membership, and Funding

Creation

On January 7, 2003, pursuant to H.Res. 5, the House created a Select Committee on Homeland Security. One of its responsibilities was to conduct a “thorough and complete study of the operation and implementation of the rules of the House, including Rule X, with respect to the issue of homeland security.” The select committee is required to submit its recommendations on possible changes to the Committee on Rules not later than September 30, 2004.

The panel created five subcommittees, four of which reflect the structure of the new Department on Homeland Security, the fifth responsible for the committee’s mandate regarding possible rules changes in the House. The five subcommittees are: Infrastructure and Border Security; Emergency Preparedness and Response; Cybersecurity, Science, and Research and Development; Intelligence and Counterterrorism; and Rules.

Membership

On February 12, 2003, the Speaker of the House announced the appointment of 27 Republicans and 23 Democrats to the select committee. Representative Christopher Cox (R-CA) was named chair and Representative Jim Turner (D-TX) was named ranking minority member.

Republican Members of the select committee, in addition to Chairman Cox, are Jennifer Dunn (WA); C.W. “Bill” Young (FL); Don Young (AK); F. James Sensenbrenner (WI); W.J. “Billy” Tauzin (LA); David Dreier (CA); Duncan Hunter (CA); Harold Rogers (KY); Sherwood Boehlert (NY); Lamar Smith (TX); Curt Weldon (PA); Christopher Shays (CT); Dave Camp (MI); Lincoln Diaz-Balart (FL); Bob Goodlatte (VA); Ernest Istook (OK); Peter King (NY); John Linder (GA); Porter Goss (FL); John Shadegg (AZ); Mark Souder (IN); Mac Thornberry (TX); Jim Gibbons (NV); Kay Granger (TX); Pete Sessions (TX); and John Sweeney (NY).

The Democratic Members, in addition to Ranking Member Turner, are Bennie Thompson (MS); Loretta Sanchez (CA); Edward Markey (MA); Norman Dicks (WA); Barney Frank (MA); Jane Harman (CA); Benjamin Cardin (MD); Louise Slaughter (NY); Peter DeFazio (OR); Robert Andrews (D-NJ); Eleanor Holmes Norton (DC); Nita Lowey (D-NY); Zoe Lofgren (D-CA); Karen McCarthy (MO); Sheila Jackson-Lee (TX); Bill Pascrell (NJ); Donna Christensen (VI); Bob Etheridge (NC); Charles Gonzalez (TX); Ken Lucas (KY); James Langevin (RI); and Kendrick Meek (FL).

Funding

On February 13, 2003, the House passed H.Res. 77, which provided \$700,000 in “seed money” to the select committee. Additional funds are expected to be requested through the traditional committee funding resolution process.

Table 2. Summary of Reform Entities

Congressional Entity	Congress/ Year	Chamber	Issues Studied	Disposition	Comments
Joint Committee on the Organization of Congress	79 th Congress 1945-1946	Bicameral	Committee system generally Committee jurisdiction Staffing Administrative structure	Legislative Reorganization Act of 1946 (P.L. 79-601)	
Joint Committee on the Organization of the Congress	89 th Congress 1965-1966	Bicameral	Committee system Committee procedure Staffing Budget process Administrative structure	Legislative Reorganization Act of 1970 (P.L. 91-510)	
Democratic Caucus	92 nd Congress 1971-1972 93 rd Congress 1973-1974 94 th Congress 1975-1976	House	Committee assignments, chairmanships Committee assignments Party organization and procedure Committee assignments	Caucus rules changes adopted Caucus rules changes adopted Caucus rules changes adopted	
Republican Conference	92 nd Congress 1971-1972	House	Committee chairmanships/ranking slots	Conference rules changes adopted	
House Select Committee on Committees (Bolling Committee)	93 rd Congress 1973-1974	House	Committee jurisdiction Committee procedure Early organization meetings	Proposals referred to Democratic Caucus for modification	Caucus alternative agreed to House rules and Democratic Caucus rules changed
House Commission on Administrative Review (Obey Commission)	94 th Congress 1975-1976 95 th Congress 1977-1978	House	Administrative operations House scheduling Ethics	Special rule for consideration of recommendations defeated on floor	Members and public citizens on commission
House Commission on Information and Facilities (Brooks Commission)	94 th Congress 1975-1976	House	Support agencies, legislative counsel, information services generally Computer system Congressional space needs		

Congressional Entity	Congress/ Year	Chamber	Issues Studied	Disposition	Comments
House Select Committee on Committees (Patterson Committee)	96 th Congress 1979-1980	House	Committee system generally Committee jurisdiction Bill referral procedure	House rules changes related to energy jurisdiction	Studied selective jurisdictional issues, rather than comprehensive review
Joint Committee on the Organization of Congress	102 nd Congress 1991-1992 103 rd Congress 1993-1994	Bicameral	Committee system generally Committee jurisdiction Staffing Budget process Legislative-executive relations Ethics Information technology Floor procedure.	Congressional Accountability Act passed no action on other recommendations	
Republican Control, 104 th Congress	104 th Congress 1995-1996	House	Committee system generally Committee jurisdiction Committee assignments Bill referral procedure Floor procedure Congressional staff	House rules changes adopted and Republican Conference rules amended; two public laws	Many of the recommendations adopted stemmed from 1993 joint committee
House Select Committee on Homeland Security	108 th Congress 2003-2004	House	Committee jurisdiction over homeland security		

Source:

Summary

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